

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

[www.dnr.mo.gov](http://www.dnr.mo.gov)

September 21, 2011

Coastal Energy Corporation  
# 1 Coastal Drive  
Willow Springs, MO 65793

Dear Mr. Montgomery:

A routine compliance inspection of the Coastal Energy Corporation land disturbance site, located in Willow Springs, Missouri was conducted on September 8, 2011, by a representative of the Missouri Department of Natural Resources' Howell County Satellite Office. Enclosed is a copy of the inspection report.

The report outlines the findings of the inspection and lists important staff recommendations that should be considered to ensure continued compliance.

If you have any questions, please contact me at (417) 469-0025 or at the Southeast Regional Office's Howell County Satellite Office at 700 West Main Street, Willow Springs, MO 65793

Sincerely,

SOUTHEAST REGIONAL OFFICE



Tony Kerley  
Environmental Specialist III

Enclosures: Report of Compliance Inspection



**REPORT OF COMPLIANCE INSPECTION  
COASTAL ENERGY CORPORATION  
MOR109FP2  
HOWELL COUNTY  
SEPTEMBER 21, 2011**

**INTRODUCTION**

Pursuant to Section 644.026.1 RSMo of the Missouri Clean Water Law, a routine compliance inspection of the Coastal Energy Corporation land disturbance site in Willow Springs, Missouri was conducted by Tony Kerley of the Missouri Department of Natural Resources' Howell County Satellite Office on September 8, 2011.

This inspection was conducted to determine the facility's compliance with Missouri State Operating Permit (MSOP) MOR109FP2, the Missouri Clean Water Commission Regulations, and the Missouri Clean Water Law (MCWL). This report presents the findings, observations, and recommendations made during the compliance inspection.

**FACILITY DESCRIPTION/HISTORY**

The facility's MSOP was issued on December 6, 2010, and expires on March 7, 2012. This permit sets forth effluent limitations, monitoring requirements, and permit conditions, both standard and specific, that the permittee is to follow.

The Coastal Energy Corporation land disturbance site is located next to Camcorp Inc. off of Railroad Drive in Willow Springs, Missouri. The site consists of clearing and excavating approximately 5 acres.





## **DISCUSSION OF INSPECTION AND OBSERVATIONS**

Prior to the inspection, the files and permit conditions for the Coastal Energy Corporation were reviewed. The inspection was conducted during normal business hours. Upon arrival, the inspector met with Jeff Cunningham at which time the purpose and scope of the inspection was outlined.

## **COMPLIANCE DETERMINATION**

The facility was found to be in compliance with the Missouri Clean Water Law, the Clean Water Commission Regulations, and Missouri State Operating Permit MOR109FP2 based upon observations noted during the inspection. There was no evidence of sediment leaving the site. However, the area has received very little rain and a significant rain event could cause sediment to leave the site.

## **UNSATISFACTORY FEATURES**

1. The storm water controls are not being maintained.

Silt fence has been installed but is not being maintained on the front end and is providing little to no benefit.





It is recommended that added storm water controls be added to the front end of the site facing Railroad Drive. The facility stated that they plan on adding ditch checks and putting the front part of the site in sod. The facility must take whatever action necessary to control sediment on their site. Failure to correct deficiencies which result in sediment leaving the site will result in a Notice of Violation.


### **RECOMMENDATIONS**

Your permit expires on 3/7/2012. To prevent reapplying for the permit and paying again for the permit fee, it is recommended that the site be stabilized. According to the permit, the site is stabilized when perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas disturbed. With respect to areas that have been vegetated, vegetative cover shall be at least 70% of fully established plant density over 100% of the disturbed area.

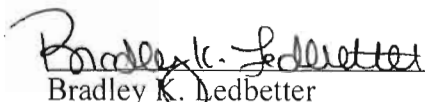
### **CLOSING REMARKS**

If there are any questions concerning this report, please feel free to contact me at 700 West Main Street, Willow Springs, Missouri or at 417-469-0025.

SUBMITTED BY:

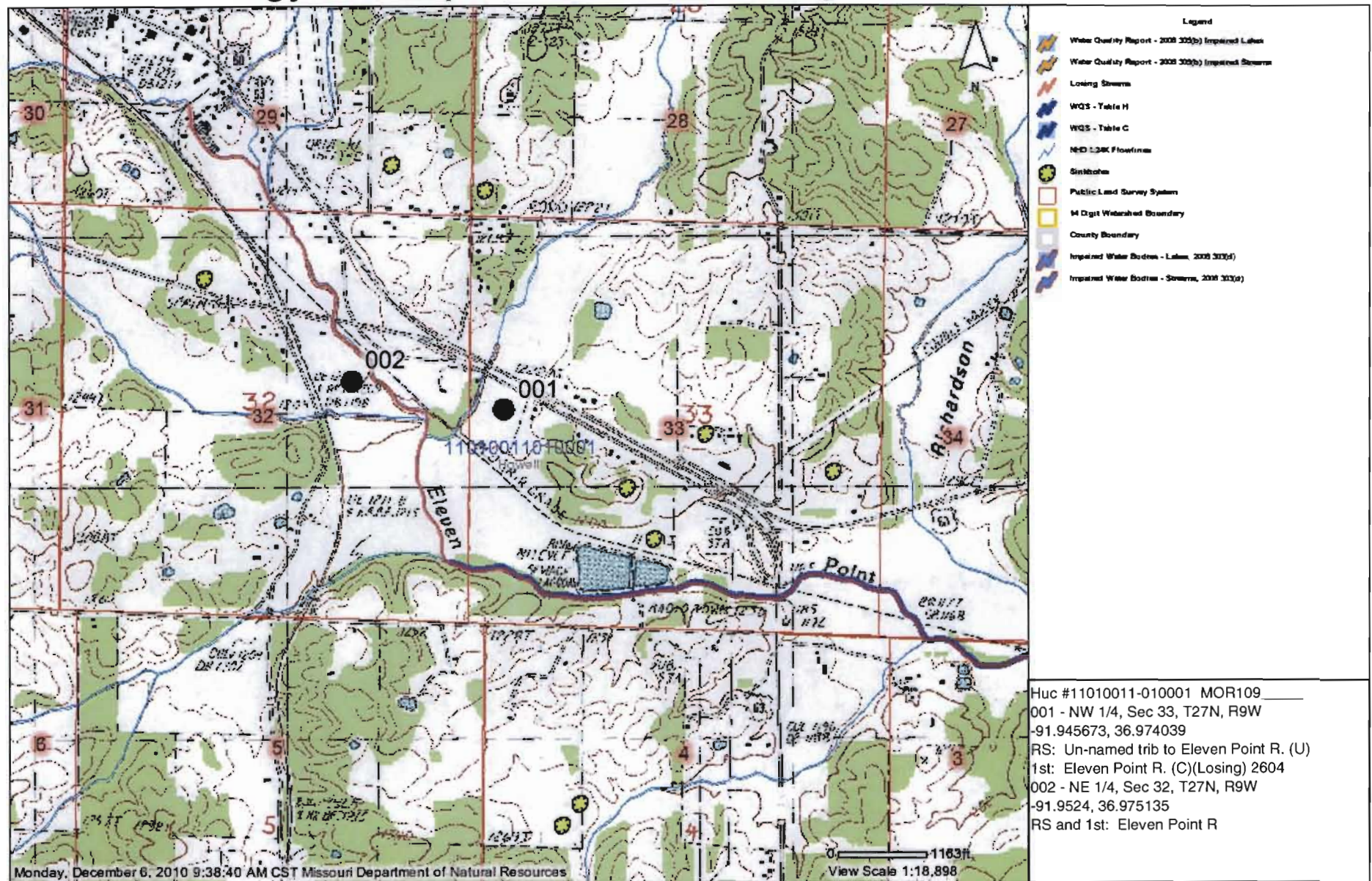
  
Tony Kerley  
Environmental Specialist III  
Southeast Regional Office

REVIEWED BY:

  
Bradley K. Ledbetter  
Chief, Water Pollution Control Unit  
Southeast Regional Office



# Coastal Energy Rail Spur - Howell County



**Missouri  
Department of  
Natural Resources**

Disclaimer: Although this map has been compiled by the Missouri Department of Natural Resources, no warranty, expressed or implied, is made by the department as to the accuracy of the data and related materials. The act of distribution shall not constitute any such warranty, and no responsibility is assumed by the department in the use of these data or related materials.



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**Kansas City District**  
Missouri State Regulatory Office  
221 Bolivar St., Suite #103  
Jefferson City, MO 65101  
PHONE (573) 634-2248 x104  
FAX (573) 634-7960

# U.S. Army Corps of Engineers, Districts in the State of Missouri

**Rock Island District**  
Clock Tower Building  
P.O. Box 2004  
Rock Island IL 61204-2004  
PHONE (309) 794-5373  
FAX (309) 794-5190 or (309) 794-5191

**Kansas City District**  
Kansas City Regulatory Office  
700 Federal Bldg.  
601 E. 12th St.  
Kansas City, MO 64106-2896  
PHONE (816) 983-3990  
FAX (816) 426-2321

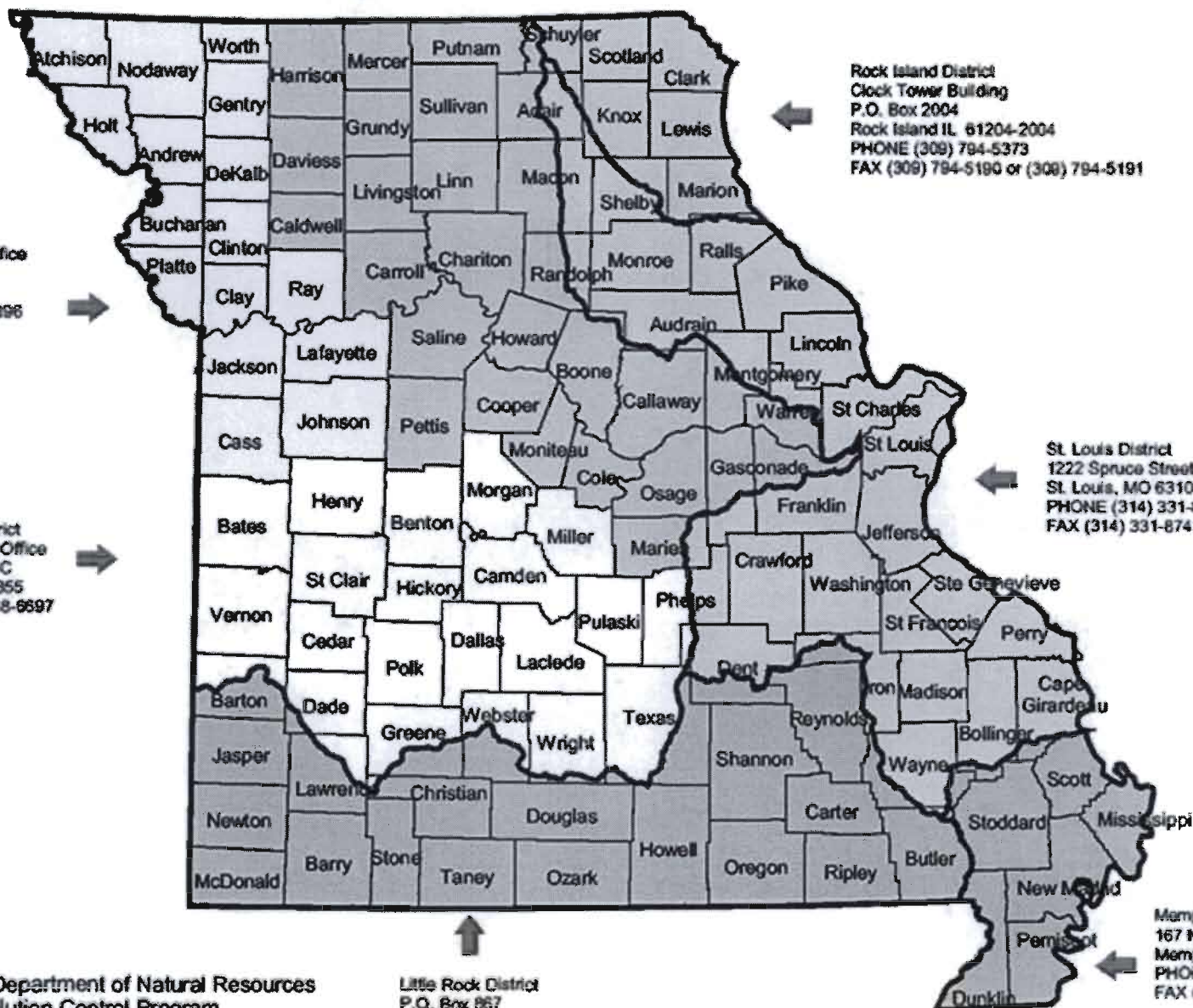
**Kansas City District**  
Truman Satellite Office  
Route 2, Box 29-C  
Warsaw, MO 65355  
PHONE (660) 438-6697

**St. Louis District**  
1222 Spruce Street  
St. Louis, MO 63103-2833  
PHONE (314) 331-8575  
FAX (314) 331-8741

**Memphis District**  
167 N. Main St., Rm B-202  
Memphis, TN 38103-1894  
PHONE (901) 544-3473  
FAX (901) 544-0211

**Little Rock District**  
P.O. Box 967  
Little Rock, AR 72203-0867  
PHONE (501) 324-5295  
FAX (501) 324-6013

**Missouri Department of Natural Resources**  
Water Pollution Control Program  
Planning/Modeling & GIS Unit  
June 2003







Missouri  
Department of  
Natural Resources

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STORMWATER DISCHARGES FROM  
THIS LAND DISTURBANCE SITE ARE  
AUTHORIZED BY THE MISSOURI  
STATE OPERATING PERMIT NUMBER

**MOR109FP2**

IF YOU HAVE QUESTIONS OR  
CONCERNS ABOUT STORMWATER  
DISCHARGES FROM THIS SITE,  
PLEASE CONTACT THE MISSOURI  
DEPARTMENT OF NATURAL  
RESOURCES AT

**1-573-840-9750**



**STORM WATER POLLUTION PREVENTION PLAN  
FOR CONSTRUCTION**

**FOR**

*COASTAL ENERGY CORPORATION  
WILLOW SPRINGS, MISSOURI*

Prepared for

Coastal Energy Corporation

November 19, 2010



Prepared by

*Great River Engineering, Inc.  
1598 Imperial Center, Suite 2010  
West Plains, Missouri*

07-2293  
**SWPPP**



Storm Water Pollution Prevention Plan for Construction Activities

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Rusty Doss, P.E.  
Project Manager

SITE CONTACT INFORMATION

<b>SITE OWNER</b>	<b>PHONE/FAX/MOBILE</b>	<b>ADDRESS</b>
<i>Coastal Energy Corporation</i>	<i>417-469-2777</i>	<i>232 Burnham Road Willow Springs, MO 65793</i>
<b>PROJECT CONTRACTOR</b>		
<i>Coastal Energy Corporation</i>	<i>417-469-2777</i>	<i>232 Burnham Road Willow Springs, MO 65793</i>
<b>PROJECT EROSION LEAD</b>	<b>24-HOUR CONTACT</b>	
<i>Jeff Cunningham</i>	<i>417-252-0984</i>	<i>232 Burnham Road Willow Springs, MO 65793</i>



Storm Water Pollution Prevention Plan for Construction Activities

### Revision Schedule

This storm water pollution prevention plan (SWPPP) should be revised and updated to address changes in site conditions, new or revised government regulations, and additional on-site storm water pollution controls.

All revisions to the SWPPP must be documented on the SWPPP Revision Documentation Form, which should include the information shown below. The authorized facility representative who approves the SWPPP should be **an individual at or near the top of the facility's management organization**, such as the president, vice president, construction manager, site supervisor, or environmental manager. **The signature of this representative attests that the SWPPP revision information is true and accurate.** Previous authors and facility representatives are not responsible for the revisions.

### SWPPP Revision Documentation Form

Number	Date	Author	Company Representative Signature
0	11/19/10	Rusty Doss	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			



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<b>APPENDIX B</b>	<b>STANDARDS AND SPECIFICATIONS FOR SELECTED BMPs</b>

Coastal Energy  
Willow Springs, Missouri



## **FIGURES AND DRAWINGS**

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### **Figures**

- 1 Location Map

### **Drawings**

- 1 East Site Grading
- 2 West Site Plan

Coastal Energy  
Willow Springs, Missouri



## 1 CONSTRUCTION ENVIRONMENTAL SUMMARY

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### 1.1 Summary

Beginning in late 2010, Coastal Energy Corporation, of Willow Springs, Missouri, began a construction project at their facilities in Willow Springs. The construction project will consist of leveling a 3 acre site near Coastal Drive and hauling excess material west to a second site near the BNSF rail spur into Coastal Energy facilities.

The site is sensitive environmentally because they slope toward and drain directly to Eleven Point River, a losing stream as classified by the Missouri Department of Natural Resources. Sediment in storm water discharged from these two sites will impact this losing stream.

Because of the environmental sensitivity of the construction site, protective measures have been established to ensure there is no adverse impact to water quality in the surrounding area. This *Storm water Pollution Prevention Plan* details all of the protective environmental measures, which will be employed during construction of the project.

*Best Management Practice* (BMP) such as silt-fences, diversion berms and buffer strips are the methods chosen for minimizing sediment transport and ensuring that clean water leaves the site.

#### 1.1.1 Project Description

This project involves construction of two sites for future construction. The east site is roughly 3 acres on size and is located between Industrial Drive and Coastal Drive, just south of U.S. 63. The south site is roughly 6 acres in size and is located south of U.S. 63 and east of the BNSF railway. Up to 30,000 c.y. of earth will be moved from the east site to the west site.

Coastal Energy  
Willow Springs, Missouri



### **1.1.2 Existing Site Conditions**

The existing sites are rolling hills, partially excavated during roadway construction approximately 8 years ago. Most of the disturbed areas are overgrown with weeds and grass. Runoff from the site will flow onto adjacent streets discharge to Eleven Point River through shallow grass swales.

### **1.1.3 Adjacent/Critical Areas**

Sediment-contaminated runoff from the sites will affect only Eleven Point River. No water bodies or other protected streams will be impacted. Because the project does not involve discharge of dredged or fill material into waters of the United States, a Section 404 permit from the U.S. Army Corps of Engineers is not necessary.

### **1.1.4 Soils**

On-site soils consist primarily of the Kenaga-Egyptgrove-Tonti complex and Poynor silt loam.

### **1.1.5 Erosion Problem Areas**

Erosion is anticipated on the cut & fill slopes of the two sites. During construction, the 3 acre will be excavated with the excess material being used to fill lower elevations within the 6 acre site. The cut slopes are anticipated to be approximately 3:1, while filled areas will slope to match existing grade at a slope flatter than 4:1. Erosion of these cut and fill slopes are the main concerns regarding sediment transport.

### **1.1.6 Construction Phasing**

Construction will begin at the east site and will proceed to the west site as excavation proceeds. After all earthwork operations are completed, both sites will be seeded.

### **1.1.7 Construction Schedule**

Construction will begin on both sites in December 2010, and is anticipated to continue for 4-6 weeks, depending upon the weather. Construction on the west site will proceed as excavation is hauled in and the fill material is compacted.



#### **1.1.8 Financial/Ownership Responsibilities**

The owner and developer of the property is the Coastal Energy Corporation. The purpose of the project is to move material to and level the western site for further development of Coastal Energy facilities.

Coastal Energy  
Willow Springs, Missouri



## **2 INTRODUCTION**

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### **2.1 Storm water Pollution Prevention Plan Requirements**

This Storm water Pollution Prevention Plan (SWPPP) was developed consistent with the requirements of the National Pollutant Discharge Elimination System (NPDES) General Storm water Permit for Construction Activities (see Appendix A for a copy of the general permit application). This SWPPP meets the requirements of the general permit.

The Plan, properly implemented, should result in the discharge of water to the environment without the violation of Water Quality Standards.

### **2.2 Purpose**

The purpose of this SWPPP is to:

- Describe best management practices (BMPs) to minimize erosion and sediment runoff at the site
- Identify, reduce, eliminate, or prevent the pollution of storm water
- Prevent violations of surface water quality or groundwater quality standards



### **3 CLEARING LIMITS**

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#### **3.1 Site Plans**

Figure 1 is a location map of the site showing all natural features associated with the area. Drawing 1 and Drawing 2 are more detailed grading/site plans showing placement of all relevant storm water BMPs such as silt fences, diversion berms, buffer strips, etc.

#### **3.2 Marking Clearing Limits**

Prior to beginning earth-disturbing activities, including clearing and grading, all clearing limits, easements, setbacks, sensitive areas and their buffers, trees and drainage courses will be clearly marked to prevent environmental damage both on and off site.

#### **3.3 Selected BMPs**

- Preserving Natural Vegetation
- Buffer Zones
- Silt Fence
- Ditch Checks
- Diversion berms



## 4 SOIL STABILIZATION

---

This section describes the stabilization and BMPs that will be implemented to minimize erosion and transport of sediment from the project site into receiving waters. Erosion and sediment control measures that have been included in the project's grading plan are shown in Drawing 1 & Drawing 2 of the Temporary Erosion and Sediment Control Plan.

### 4.1 Soil Stabilization

Stabilization BMPs to be implemented at this site include:

- **Soil Covering.** All exposed soils will be stabilized with vegetation or covered prior to the onset of the rainy season. The primary stabilization method used will be seeding and fertilizing of bare soil. This will be done on all slopes as well as drainage ditches, swales, and exposed flat surfaces as deemed necessary by the erosion and sediment control lead. Virtually all exposed soils will be stabilized to protect surface water quality.
- **Stockpile Covering.** Stockpiles are not anticipated upon completion. If stockpiles will remain, they will be compacted and hydroseeded prior to the onset of wet weather.
- **Maintenance of Existing Vegetation.** Existing and new vegetation will be maintained to the maximum extent practicable to prevent the contamination of storm water with sediment. Vegetated areas beginning to show signs of erosion or soil transport will be repaired as soon as practical.
- **Outlet Protection.** Adequate energy dissipation, erosion control, and soil stabilization measures (e.g., rock or other energy dissipation techniques) will be provided for all point source discharges of storm water, including run-on discharges and outlets from onsite discharges.
- **Inlet protection.** All existing storm drain inlets are protected from sediment-laden runoff through the placement of silt fences and diversion berms along roadways.



## 4.2 Structural BMPs

**Structural BMPs.** Structural BMPs are practices designed to divert flows from exposed soil, store storm water runoff, and limit runoff and the discharge of pollutants from exposed areas of the project. The goal of structural BMPs on this project is to protect receiving water downstream of the site from turbid water, phosphorus, sediment, oil, and other contaminants, which may mobilize in storm water flows.

- **Drainage Swales, Ditches, and Check Dams.** Swales and ditches will be used on a permanent and temporary basis to convey storm water in a way that minimizes the potential for contamination by sediment. Because some sediment will always be present in storm water, check dams will be used in swales and ditches to reduce the velocity of the water and allow some settling of larger particles.



## **5 SLOPE PROTECTION**

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### **5.1 General Practices**

Cut and fill slopes on this project have been designed and will be constructed so as to minimize erosion. Soil types have been analyzed and considered for their potential to erode also. In addition, slope runoff velocities will be reduced by terracing, creating diversions, and surface contouring. Sediment reaching the toe of slope will be filtered by silt fencing.

Upslope drainage and uncontaminated run-on water from off-site will be intercepted at the top of the slope and diverted around the active construction area. Down slope flows will be contained in pipes, slope drains, and/or stabilized channels.

### **5.2 Suggested BMPs**

- Silt Fencing
- Terracing
- Grass-Lined Channels
- Check Dams



## **6 BMP MAINTENANCE**

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All temporary and permanent erosion and sediment control BMPs will be maintained and repaired as needed to assure continued performance of their intended function. All maintenance and repair will be conducted in accordance with BMPs. Recommended BMP maintenance requirements are listed in Tables 1 and 2 included in this section. Following Tables 1 and 2 is a BMP Inspection Checklist for use in routine inspections of the construction site.

All temporary erosion and sediment control BMPs will be removed within 30 days after final site stabilization is achieved or after the temporary BMPs are no longer needed. Trapped sediment will be removed or stabilized on site. Disturbed soil areas resulting from removal of BMPs or vegetation will be permanently stabilized as soon as possible.



## **7 PROJECT MANAGEMENT**

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Implementation and management of the environmental aspects of this project under the SWPPP are the responsibilities of Coastal Energy Corporation. Communication between all parties performing work on the site is essential for proper implementation of the SWPPP. The grading contractor should be familiar with the SWPPP and their responsibilities under the plan. To help delegate these responsibilities the following outline has been provided:

### **7.1 Phasing of Construction**

The project has been planned to reduce the environmental impact of mass grading. The eastern site will be stripped with topsoil stockpiled before excavation begins. When excavation begins on the eastern site, the western site will be stripped with topsoil stockpiled. Immediately upon completion, both sites will be re-topsoiled and seeded & mulched. From the beginning of construction until completion, the storm water treatment system will remain operational to minimize soil transport during construction activities.

### **7.2 Training**

Coastal Energy Corporation will provide onsite training to key personnel responsible for compliance with the SWPPP. The contractor's superintendent and project manager will be familiarized with the major elements of the plan. Construction workers and others at the site will be given appropriate training information at the conclusion of site safety meetings or on an as-needed basis.

### **7.3 Pre-construction Conference**

One or more pre-construction meetings will be held with an explicit agenda item addressing the SWPPP.

Coastal Energy  
Willow Springs, Missouri



#### **7.4 Coordination with Utilities and other Contractors**

All contractors providing services on the project which may cause storm water pollution will be given a copy of the SWPPP and appropriate training regarding storm water pollution prevention.

#### **7.5 Subcontractor Oversight**

Subcontractor oversight to ensure compliance with the SWPPP will be provided by the prime contractor's superintendent or project manager.. Informal, on-the-job tailgate training will be the first level of communication followed by onsite observation of training compliance. Non-compliance with SWPPP policies will trigger a more intensive training session to correct the problem(s). Chronic non-compliance with SWPPP policies may require the intervention of local and/or state regulatory personnel.

#### **7.6 Monitoring/Reporting**

Reports such as erosion and sediment control inspections will be the responsibility of the prime contractor or a designated consultant. Spill reports will be completed and submitted by the prime contractor on the project.

#### **7.7 SWPPP Update**

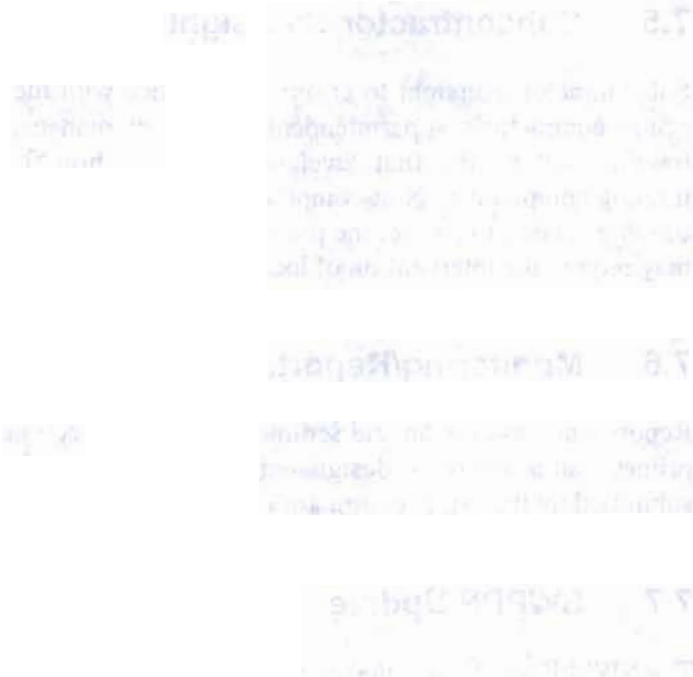
The SWPPP will be updated as requested by Coastal Energy Corporation.



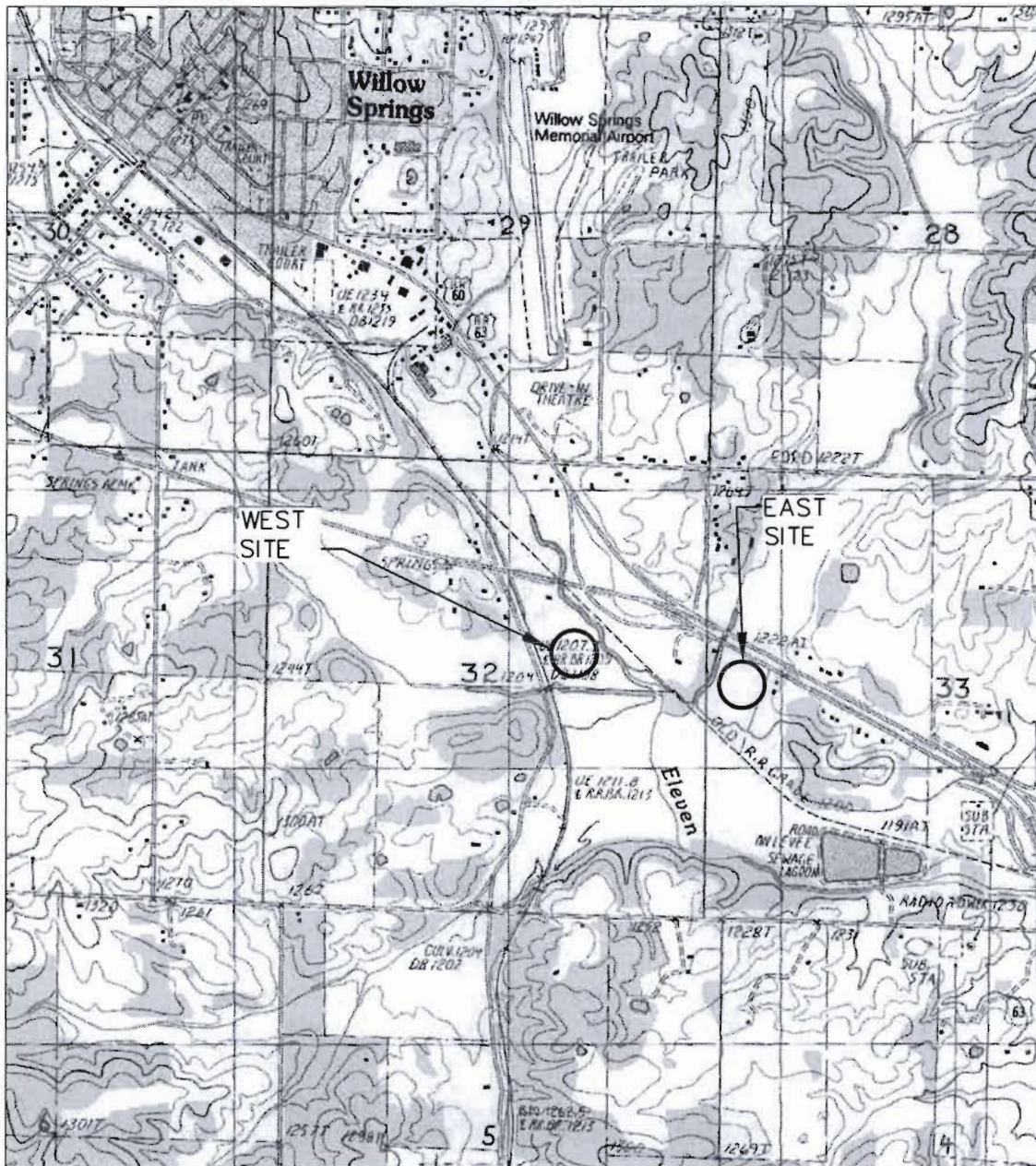
Storm Water Pollution Prevention Plan for Construction Activities

**FIGURES**

*Location Map*







# LOCATION SKETCH

SCALE: 1" = 2000'

NORTH



COASTAL ENERGY  
LOCATION MAP  
WILLOW SPRINGS, MISSOURI  
SECTION 32 & 33, T27N, R9W



Storm Water Pollution Prevention Plan for Construction Activities

**DRAWINGS**

1) *East Site Grading*

2) *West Site Plan*



STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Jeremiah W. (Jay) Nixon, Governor • Kip A. Stertzler, Acting Director

[www.dnr.mo.gov](http://www.dnr.mo.gov)

Coastal Energy Corporation  
1 Coastal Drive  
WILLOW SPRINGS, MO 65793

Dear Coastal Energy Corporation:

Enclosed please find your Missouri State Operating Permit which authorizes land disturbance activities for Coastal Energy Rail Spur. This permit has been issued at your request and is based upon information submitted in your application to the department.

Please note that prior to the beginning of land disturbance activities other permits may also be required. Especially note the requirements for a Missouri Department of Natural Resources 401 Water Quality Certification and the U.S. Army Corps of Engineers 404 permit. A 401 Certification is needed when placing material, or fill, into the jurisdictional waters of the United States. Examples are culverts under road crossings, riprap along stream banks and storm water outfall pipes. The term jurisdictional waters refers to large lakes, rivers, streams and wetlands, including those that don't always contain water.

The permitting and certification process is shared between the department and the U.S. Army Corps of Engineers. More details can be found at the US Army Corps of Engineer's Website at <http://www.usace.army.mil/>. Some of these activities are also described on page 2, item 3 of the enclosed permit.

This permit contains several requirements and should be thoroughly read and understood by you. If your permit requires environmental monitoring, copies of the necessary forms have been enclosed. In all future correspondence regarding your permit please reference your permit number as shown on page 1 of the permit.

Please contact the Water Pollution Enforcement and Compliance Unit if you would like to schedule an Environmental Assistance Visit (EAV) at 573-751-1300. During the visit, staff will review the requirements of the permit and answer any questions that you may have. Staff will also be available to walk the site to advise on Best Management Practices required by the permit. The department's regional office staff may also contact you to schedule an EAV.

If you were adversely affected by this decision, you may be entitled to an appeal before the administrative hearing commission pursuant to 10 CSR 20-1.020 and Sections 644.051.6 and 621.250, RSMo. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission. Contact information for the AHC is as follows: Administrative Hearing Commission, Truman State Office Building, Room 640, 301 W. High Street, P.O. Box 1557, Jefferson City, MO 65102, Phone: 573-751-2422, Fax: 573-751-5018, Website: [www.aa.mo.gov/ahc](http://www.aa.mo.gov/ahc).

Please be aware that this facility may also be subject to any applicable county or other local ordinances or restrictions.

Sincerely,  
Southeast Regional Office



Gary L. Gaines, P.E.  
Regional Director

GLG

Enclosure



STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

General Operating Permit

In compliance with the Missouri Clean Water Law, (chapter 644 R.S. Mo as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended.

Permit No: MOR109FP2  
Owner: Coastal Energy Corporation  
Address: 1 Coastal Drive  
WILLOW SPRINGS, MO 65793  
  
Continuing Authority: Coastal Energy Corporation  
1 Coastal Drive  
WILLOW SPRINGS, MO 65793  
  
Facility Name: Coastal Energy Rail Spur  
Facility Address: Industrial Drive and Coastal Drive  
WILLOW SPRINGS, MO 65793

Legal Description: See Page 2  
Latitude Longitude: See Page 2  
Receiving Stream: See Page 2  
First Classified Stream - ID#: See Page 2  
USGS# and Sub Watershed#: See Page 2

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein.

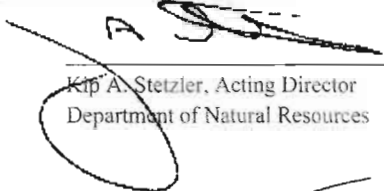
**FACILITY DESCRIPTION** All Outfalls SIC #1629

All Outfalls - Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading, and other activity that results in the destruction of the root zone). Also applies to land disturbance activities near valuable resource waters.

This permit authorizes only wastewater, including storm water, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System, it does not apply to other regulated areas. This permit may be appealed in accordance with RSMo Section 644.051.6 and 621.250, 10 CSR 20-6.020 and 10 CSR 20-1.020


December 06, 2010

Issue Date

  
Kip A. Stetzler, Acting Director  
Department of Natural Resources

March 07, 2012

Expiration Date

  
Gary L. Gaines, P.E.  
Regional Director, Southeast Regional Office



Outfall Number: 001  
Legal Description: NW 1/4, Sec. 33, T27N, R9W, Howell County  
UTM Coordinates: 593843.232/4092511.779  
Receiving Stream: Un-named Tributary to Eleven Point River(U)  
First Classified Stream - ID#: Eleven Point R. (C) 2604.00  
USGS# and Sub Watershed#: 11010011 - 010001

Outfall Number: 002  
Legal Description: NE 1/4, Sec. 32, T27N, R9W, Howell County  
UTM Coordinates: 593243.121/4092626.759  
Receiving Stream: Eleven Point River(C)  
First Classified Stream - ID#: Eleven Point R. (C) 2604.00  
USGS# and Sub Watershed#: 11010011 - 010001



## **APPLICABILITY**

1. This general permit authorizes the discharge of storm water and certain non-storm water discharges from land disturbance sites that disturb a cumulative total of one (1) or more acres over the life of the project or which is part of a larger common plan of development or sale that will disturb a cumulative total of one or more acres over the life of the project. This general permit also authorizes the discharge of storm water and certain non-storm water discharges from smaller projects where the department has exercised its discretion to require a permit [10 CSR 20-6.200 (1)(B)].

A Missouri State Operating Permit that specifically identifies the project must be issued before any site vegetation is removed or the site disturbed.

Any site owner/operator subject to these requirements for storm water discharges and who disturbs land prior to permit issuance from MDNR is in violation of both State and Federal laws.

The legal owner of the property on which the site is located is ultimately responsible for compliance with this permit.

2. This permit authorizes non-storm water discharges from the following activities provided that these discharges are addressed in the permittee's specific Storm Water Pollution Prevention Plan (SWPPP) required by this general permit:
  - a. De-watering activities if there are no contaminants other than sediment present in the discharge,
  - b. Flushing water hydrants and potable water lines,
  - c. Water only (i.e., without detergents or additives) rinsing of streets and buildings, and,
  - d. Site watering to establish vegetation.
3. This general permit does not authorize the placement of fill materials in flood plains, the obstruction of stream flow, directing storm waters across private property not owned or operated by the permittee, or changing the channel of a defined drainage course. This general permit is intended to address only the quality of the storm water runoff and minimize off-site migration of sediments and other water contaminants.
4. This general permit does not authorize any discharge to waters of the state of sewage, wastewaters, or pollutants such as:
  - a. Hazardous substances or petroleum products from an on-site spill or improper handling and disposal practices,
  - b. Wash and/or rinse waters from concrete mixing equipment including ready mix concrete trucks. Such pollutants can and should be adequately treated and addressed in the Storm Water Pollution Prevention Plan, but they cannot be discharged to waters of the state,
  - c. Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds, or
  - d. Domestic wastewaters, including gray waters.
5. MDNR reserves the right to deny coverage under this general permit to applicants for storm water discharges from land disturbance activities at sites that have contaminated soils that will be disturbed by the land disturbance activity or where such materials are brought to the site to use as fill or borrow. Such activities are normally covered by a site-specific permit.
6. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific permit, the Department may require any person to obtain a site specific operating permit [10 CSR 20-6.010(13) and 10 CSR 20-6.200(5)].

The Department may require the permittee to apply for and obtain a site specific or different general permit if:

- a. The permittee is not in compliance with the conditions of this general permit,
- b. The discharge no longer qualifies for this general permit due to changed site conditions and regulations, or
- c. Information becomes available that indicates water quality standards have been or may be violated.

The permittee will be notified in writing of the need to apply for a site-specific permit or a different general permit. When a site specific permit or different general permit is issued to the authorized permittee, the applicability of this general permit to the permittee is automatically terminated upon the effective date of the site specific or different general permit, whichever the case may be. The permittee shall submit the appropriate forms to the Department to terminate the permit that has been replaced.



**APPLICABILITY (continued)**

7. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site-specific permit [10 CSR 20-6.010(13) and 10 CSR 20-6.200(5)].
8. This permit does not authorize land disturbance activity in jurisdictional waters of the United States as defined by the Army Corps of Engineers, unless the permittee has obtained the required 404/401 permits.
9. This permit does not authorize land disturbance activities in violation of the Historic Preservation Act or the Endangered Species Act.
10. This permit is not transferable to other owners or operators.

**APPLICABILITY TO VALUABLE RESOURCE WATERS**

1. Storm water discharges as described below in 1.a, 1.b, and 1.c shall be considered discharges to "valuable resource waters".
  - a. Storm water discharges within 1000 stream feet of:
    - i. Streams identified as a losing stream\*,
    - ii. Streams or lakes listed as an outstanding national or state resource water\*,
    - iii. Reservoirs or lakes used for public drinking water supplies\*; or
    - iv. Streams, lakes or reservoirs identified as critical habitat for endangered species\*;
    - v. Streams, lakes, or reservoirs listed as impaired for sediment and/or an unknown pollutant by standard MDNR methodology\*.
  - b. Storm water discharges:
    - i. Within 100 stream feet of a permanent stream (class P) or major reservoir (class L2)\*, or
    - ii. Within two stream miles upstream of biocriteria reference locations\*.
  - c. Storm water discharges where:
    - i. Any of the disturbed area is defined as a wetland (Class W), by 10 CSR 20-7.031(1)(F)7\*; or
    - ii. The storm water discharges to a sinkhole or other direct conduit to groundwater.
2. This permit applies to discharges to valuable resource waters.

(For the purpose of this permit, the term "stream feet" shall mean the distance in feet following the nearest drainage channel from the land disturbance to the valuable resource water.)

**EXEMPTIONS FROM PERMIT REQUIREMENTS**

1. Facilities that discharge all storm water runoff directly to a combined sewer system are exempt from storm water permit requirements.
2. Land disturbance activity as described in 10 CSR 20-6.200,(1)(B)8., where water quality standards are not exceeded.
4. Sites that disturb less than one acre of total land area that are not part of a common plan or sale and that do not cause any violations of water quality standards and are not otherwise designated by the Department as requiring a permit where water quality standards are not exceeded.
5. Agricultural storm water discharges and irrigation return flows. Animal Feeding Operations (AFOs) are not included in the agricultural exemption.

\* Streams and stream segments that meet these criterion are identified and/ or defined in 10 CSR 20, Chapter 7. These regulations are available at many libraries and may be purchased from MDNR by calling the Water Protection Program at (573) 751-1300. The regulations are also available from the Missouri Secretary of State's Office.



## **REQUIREMENTS**

**Note: These requirements do not supersede nor remove liability for compliance with county and other local ordinances.**

1. The discharge of storm water from these facilities shall not cause a violation of the state water quality standards, 10 CSR 20-7.031, which states, in part, that no water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - a. Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - b. Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - c. Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - d. Waters shall be free from substances or conditions in sufficient amounts to have a harmful effect on human, animal or aquatic life;
  - e. There shall be no significant human health hazard from incidental contact with the water;
  - f. There shall be no acute toxicity to livestock or wildlife watering;
  - g. Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community; or
  - h. Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles, or equipment and solid waste as defined in Missouri's Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200 to 260.247 RSMO.
2. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
3. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers.
4. Hazardous wastes that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of the Missouri Hazardous Waste Laws and Regulations.
5. An individual shall be designated by the permittee as responsible for environmental matters. The individual responsible for environmental matters shall have a thorough and demonstrable knowledge of the site's SWPPP and sediment and erosion control practices in general. The individual responsible for environmental matters or a designated inspector knowledgeable in erosion, sediment, and stormwater control principles, shall inspect all structures that function to prevent pollution of waters of the state. These inspections shall be conducted in accordance with paragraph 10 of the Requirements.
6. All paint, solvents, petroleum products and petroleum waste products, and storage containers (such as drums, cans, or cartons) shall be stored according to Best Management Practices (BMPs). The materials exposed to precipitation shall be stored in watertight, structurally sound, closed containers. All containers shall be inspected for leaks or spillage during the once per week inspection of Best Management Practices.
7. The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be submitted to the department with the permit application. A permit must be issued before land disturbance activities may begin. The SWPPP must:
  - a. Incorporate required practices identified below;
  - b. Incorporate erosion control practices specific to site conditions; and
  - c. Provide for maintenance and adherence to the plan.
  - d. Discuss whether or not a 404/401 permit is required for the project.
  - e. Name the person responsible for inspection, operation, and maintenance of BMPs.

Before removing any site vegetation, disturbing earth, or submitting an application, the permittee shall develop a SWPPP that is specific to the land disturbance activities at the site. This plan must be developed before a permit can be issued and made available as specified under the RECORDS section of this permit. A copy of the SWPPP must be retained on the construction site during normal working hours and made available to a department representative upon request.



## **REQUIREMENTS (continued)**

The permittee shall fully implement the provisions of the SWPPP required under this part as a condition of this general permit throughout the term of the land disturbance project.

The purpose of the SWPPP is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of sediment and other pollutants in storm water discharges associated with the land disturbance activities; comply with the Missouri Water Quality Standards; and ensure compliance with the terms and conditions of this general permit.

The permittee shall select, install, use, operate, and maintain appropriate BMPs for the permitted site. The following manuals are acceptable resources for the selection of appropriate BMPs.

***Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices***, (Document number EPA 832-R-92-005) published by the United States Environmental Protection Agency (USEPA) in 1992. This manual is available at The USEPA internet site <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>; and the latest version of ***Protecting Water Quality: A field guide to erosion, sediment and storm water best management practices for development sites in Missouri***, published by the Missouri Department of Natural Resources. This manual is available on the department's internet site at: <http://www.dnr.mo.gov/env/wpp/wpcp-guide.htm>

The permittee is not limited to the use of these guidance manuals. Other guidance publications may be used to select appropriate BMPs. However, all BMPs should be described and justified in the SWPPP. EPA and DNR continue to update BMP information on their web sites. It is recommended that the permittee review this information when developing a SWPPP.

8. SWPPP Requirements: The following information and practices shall be provided in the SWPPP.
  - a. **Site Description**: In order to identify the site, the SWPPP shall include the facility and outfall information provided in the application form. The SWPPP shall have sufficient information to be of practical use to contractors and site construction workers to guide the installation and maintenance of BMPs. Site boundaries and outfalls shall be marked on a site map included as part of the SWPPP.
  - b. **Selection of Temporary and Permanent Non-Structural BMPs**: The permittee shall select appropriate non-structural BMPs for use at the site and list them in the SWPPP. The SWPPP shall require existing vegetation to be preserved where practical. The time period for disturbed areas to be without vegetative cover is to be minimized to the maximum extent practicable. For sites that will be inactive six months or more, establishing a vegetative cover is a highly recommended choice for a proper BMP.

Examples of non-structural BMPs which the permittee should consider specifying in the SWPPP include: preservation of trees and mature vegetation, protection of existing vegetation for use as buffer strips (vegetative buffer strips of 50 feet are especially encouraged along drainage courses), mulching, sodding, temporary seeding, final seeding, geotextiles, stabilization of disturbed areas, preserving existing stream channels as overflow areas when channel straightening or shortening is allowed, soil stabilizing emulsions and tackifiers, mulch tackifiers, stabilized site entrances/exits, and other appropriate BMPs.

- c. **Selection of Temporary and Permanent Structural BMPs**: The permittee shall select appropriate structural BMPs for use at the site and list them in the SWPPP. Examples of structural BMPs that the permittee should consider specifying in the SWPPP include: diverting flows from undisturbed areas away from disturbed areas, silt (filter fabric and/or straw bale) fences, earthen diversion dikes, drainage swales, sediment traps, rock check dams, subsurface drains (to gather or transport water for surface discharge elsewhere), pipe slope drains (to carry concentrated flow down a slope face), level spreaders (to distribute concentrated flow into sheet flow), storm drain inlet protection and outlet protection, reinforced soil retaining systems, gabions, temporary or permanent sediment basins, and other appropriate BMPs.
  - d. **Description of Best Management Practices**: The SWPPP shall include a description of both structural and non-structural BMPs that will be used at the site. The SWPPP shall provide the following general information for each BMP which will be used one or more times at the site:
    - i. Physical description of the BMP,
    - ii. Site and physical conditions that must be met for effective use of the BMP,
    - iii. BMP installation/construction procedures, including typical drawings, and
    - iv. Operation and maintenance procedures for the BMP.



**REQUIREMENTS (continued)**

The SWPPP shall provide the following information for each specific instance where a BMP is to be installed:

- v. Whether the BMP is temporary or permanent,
  - vi. Where, in relation to other site features, the BMP is to be located,
  - vii. When the BMP will be installed in relation to each phase of the land disturbance procedures to complete the project, and
  - viii. What site conditions must be met before removal of the BMP if the BMP is not a permanent BMP.
- e. Disturbed Areas: Slopes for disturbed areas must be defined in the SWPPP. A site map or maps, defining the sloped areas for all phases of the project, must be included in the SWPPP. Where soil disturbing activities cease in an area for 14 days or more, the permittee shall construct BMPs to establish interim stabilization. Interim stabilization shall consist of well established and maintained BMPs that are reasonably certain to protect waters of the state from sediment pollution over an extended period of time. This may require adding more BMPs to an area than is normally used during daily operations. These BMPs may include a combination of sediment basins, check dams, sediment fences, and mulch. The types of BMPs used must be suited to the area disturbed, taking into account the number of acres exposed and the steepness of the slopes. If the slope of the area is greater than 3:1 (3 feet horizontal to 1 foot vertical) or if the slope is greater than 3% and greater than 150 feet in length, then the permittee shall establish interim stabilization within 7 days of ceasing operations on that part of the site.
- f. Installation: The permittee shall ensure the BMPs are properly installed at the locations and relative times specified in the SWPPP. Peripheral or border BMPs to control runoff from disturbed areas shall be installed or marked for preservation before general site clearing is started. Storm water discharges from disturbed areas which leave the site shall pass through an appropriate impediment to sediment movement, such as a sedimentation basin, sediment traps, silt fences, etc. prior to leaving the land disturbance site. A drainage course change shall be clearly marked on a site map and described in the SWPPP. The location of all BMPs must be indicated on a site map, included in the SWPPP.
- g. Sedimentation Basins: The SWPPP shall require a sedimentation basin for each drainage area with 10 or more acres disturbed at one time. The sedimentation basin shall be sized to contain a volume of at least 3600 cubic feet per each disturbed acre draining thereto. Accumulated sediment shall be removed from the basin as needed to ensure the minimum volume of 3600 cubic feet is maintained. Discharges from the basin shall not cause scouring of the banks or bottom of the receiving stream. The SWPPP shall require the basin be maintained until final stabilization of the disturbed area served by the basin.
- Where use of a sediment basin of this size is impractical, the SWPPP shall evaluate and specify other similarly effective BMPs to be employed to control erosion and sediment delivery. These similarly effective BMPs shall be selected from appropriate BMP guidance documents authorized by this permit. The BMPs must provide equivalent protection. The SWPPP shall require both temporary and permanent sedimentation basins to have a stabilized spillway to minimize the potential for erosion of the spillway or basin embankment.
- h. Additional Site Management BMPs: The SWPPP shall address other BMPs, as required by site activities, to prevent contamination of storm water runoff. Such BMPs include:
- i. Solid and hazardous waste management including: providing trash containers and regular site clean up for proper disposal of solid waste such as scrap building material, product/material shipping waste, food containers, and cups; and providing containers and proper disposal of waste paints, solvents, and cleaning compounds, etc.;
  - ii. Provision of portable toilets for proper disposal of sanitary sewage;
  - iii. Storage of construction materials away from drainage courses and low areas; and
  - iii. Installation of containment berms and use of drip pans at petroleum product and liquid storage tanks and containers.
- i. Dewatering: The SWPPP shall require a description of any anticipated dewatering methods, including the anticipated volume of water to be discharged and the anticipated maximum flow discharged from these dewatering activities, expressed in gallons per minute. Maximum flow may be stated in the SWPPP as an estimate based on the type and capacity of equipment being used for dewatering. The SWPPP shall call for specific BMPs designed to treat water pumped from excavations and in no case shall this water be pumped off site without being treated by the specified BMPs.
- j. Roadways: Where applicable, upon installation of or connection to roadways, all efforts should be made to prevent the deposition of earth and sediment onto roadways through the use of proper BMPs. Where sediment is present on roadways all storm water curb inlets shall have inlet protection. Where storm water will flow off the end of where a roadway terminates, a sediment catching BMP (ex. Gravel berm, silt fence, etc.) shall be provided. Roadways and curb inlets shall be cleaned weekly or following a rainfall that generates a run-off. Stabilized construction entrances shall be used to prevent sediment trackout.



## **REQUIREMENTS (continued)**

9. Amending/Updating the SWPPP: The permittee shall amend and update the SWPPP as appropriate during the term of the land disturbance activity. The permittee shall amend the SWPPP, at a minimum, whenever the:
  - a. Design, operation, or maintenance of BMPs is changed;
  - b. Design of the construction project is changed that could significantly affect the quality of the storm water discharges,
  - c. Permittee's inspections indicate deficiencies in the SWPPP or any BMP,
  - d. MDNR notifies the permittee in writing of deficiencies in the SWPPP,
  - e. SWPPP is determined to be ineffective in significantly minimizing or controlling erosion and sedimentation (e.g., there is visual evidence, such as excessive site erosion or excessive sediment deposits in streams or lakes),
  - f. Total Settleable Solids from a storm water outfall discharging to a valuable resource water shall not exceed 0.5 ml/L/hr. If part of a site discharges to a stream that is not a valuable resource water, the Total Settleable Solids shall not exceed 2.5 ml/L/hr.
  - g. MDNR determines violations of Water Quality Standards may occur or have occurred.
10. Site Inspections Reports: The permittee (or a representative of the permittee) shall conduct regularly scheduled inspections at least once per seven calendar days. These inspections shall be conducted by the person responsible for environmental matters at the site, or a person trained by and directly supervised by the person responsible for environmental matters at the site. For disturbed areas that have not been finally stabilized, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation and maintenance. All storm water outfalls shall be inspected for evidence of erosion or sediment deposition. The receiving stream shall also be inspected for 50 feet downstream of the outfall. Any structural or maintenance problems shall be noted in an inspection report and corrected within seven calendar days of the inspection. If a rainfall causes storm water runoff to occur on site, the BMPs must be inspected within a reasonable time period (not to exceed 48 hours). The SWPPP must explain how the person responsible for erosion control, will be notified when storm water runoff occurs. If weather conditions prevent correction of BMPs within seven calendar days, the reasons for the delay must be documented (including pictures) and there must be a narrative explaining why the work cannot be accomplished within the seven day time period. The documentation must be filed with the regular inspection reports. The permittee shall correct the problem as soon as weather conditions improve. Areas on site that have been finally stabilized must be inspected at least once per month. A log of each inspection and copy of the inspection report shall be kept on-site. The inspection report is to include the following minimum information: inspector's name, date of inspection, observations relative to the effectiveness of the BMPs, actions taken or necessary to correct the observed problem, and listing of areas where land disturbance operations have permanently or temporarily stopped. The inspection report shall be signed by the permittee or by the person performing the inspection if duly authorized.
11. Proper Operation and Maintenance: The permittee shall at all times maintain all pollution control measures and systems in good order to achieve compliance with the terms of this general permit.
12. Notification to All Contractors: The permittee shall be responsible for notifying each contractor or entity (including utility crews and city employees or their agents) who will perform work at the site of the existence of the SWPPP and what action or precautions shall be taken while on site to minimize the potential for erosion and the potential for damaging any BMP. The permittee is responsible for any damage a subcontractor may do to established BMPs and any subsequent water quality violation resulting from the damage.
13. Public Notification: The permittee shall post a copy of the public notification sign described by the MDNR at the main entrance to the site. The public notification sign must be visible from the public road that provides access to the site's main entrance. The public notification sign must remain posted at the site until the permit has been terminated.

## **OTHER DISCHARGES**

1. Hazardous Substance and Oil Spill Reporting: Refer to Section B, #14 of Part I of the Standard Conditions that accompany this permit.
2. Removed substances: Refer to Section B, #6 of Part I of the Standard Conditions that accompany this permit.
3. Change in discharge: In the event soil contamination or hazardous substances are discovered at the site during land disturbance activities, the permittee shall notify the MDNR regional office by telephone as soon as practicable and no later than 24 hours after discovery. The permittee must also notify the MDNR regional office in writing no later than 14 calendar days after discovery.



**SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS**

1. Discharges shall not violate Water Quality Standards 10 CSR 20-7.031(3).
2. Total Settleable Solids from a storm water outfall discharging to a valuable resource water shall not exceed 0.5 ml/L/hr. If part of a site discharges to a stream that is not a valuable resource water, the Total Settleable Solids shall not exceed 2.5 ml/L/hr.
3. There are no regular sampling requirements in this permit. However, the department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or other such evidence of off-site contamination from activities at the site. If such an action is needed, the Department will specify in writing any additional sampling requirements, including such information as location, extent, and parameters. MDNR or EPA may take samples as part of a routine site inspection or complaint investigation.

**RECORDS**

1. The permittee shall retain copies of this general permit, the SWPPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis, and all site inspection records required by this general permit. The records shall be accessible during normal business hours. The records shall be retained for a period of at least three years from the date of the Letter of Termination.
2. The permittee shall provide a copy of the SWPPP to MDNR, USEPA, or any local agency or government representative if they request a copy in the performance of their official duties.
3. The permittee shall provide those who are responsible for installation, operation, or maintenance of any BMP a copy of the SWPPP. The permittee, their representative, and/or the contractor(s) responsible for installation, operation, and maintenance of the BMPs shall have a current copy of the SWPPP with them when on the project site.

**LAND PURCHASE AND CHANGE OF OWNERSHIP**

1. Individual Lot or Lots: Federal and Missouri storm water regulations (10 CSR 20-6.200) require a storm water permit and erosion control measures for 1 acre or more of land disturbance that is a part of a common plan or sale. If the permittee sells less than 1 acre of the permitted site to an entity for, commercial, industrial, or residential use, (unless sold to an individual for the purpose of building his/her own private residence) this land remains a part of the common sale and regulated by this permit. Therefore, the permittee is still responsible for erosion control on the sold property until termination of the permit.
2. If the permittee sells 1 or more acres of the permitted site to an entity, the new owner of the property must obtain a land disturbance permit for the purchased property. The original permittee must amend the SWPPP to show that the property (one acre or more) has been sold and therefore no longer under the original permit jurisdiction.
3. If a lot is sold to an individual for purposes of building his/her own private residence, the permittee is no longer responsible for erosion control on the lot. However, Section 644.051.1(1) RSMO still gives the department the authority to hold the individual owner responsible for erosion control measures on the lot if it is deemed necessary to protect waters of the state.
4. Entire Tract: If the entire tract is sold to a single entity, then this permit shall be terminated when the new owner obtains a new land disturbance permit for the site.



### **TERMINATION**

This permit may be terminated when the project is stabilized. The project is considered to be stabilized when perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas that have been disturbed. With respect to areas that have been vegetated, vegetative cover shall be at least 70% of fully established plant density over 100% of the disturbed area.

In order to terminate the permit, the permittee shall notify MDNR by submitting Form H, included with the State Operating Permit. The permittee shall complete Form H and mail it to MDNR at the address noted in the cover letter of this permit.

Page 1 of this permit specifies the expiration date of this permit. The "issue date" is the date the State Operating Permit is issued to the applicant. The "expiration date" may or may not coincide with the date when the authorized project or development is scheduled for completion.

If the project or development completion date will be after the expiration date of this general permit, then the permittee must reapply to the department for the permit to be re-issued. The permittee will receive notification of the expiration date of the permit before the expiration date listed on page 1 of this permit. In order for the permit to be re-issued, the permittee should submit the appropriate application form(s) at least 180 days before the expiration of the permit if land disturbance activity is expected to continue past the expiration date of this general permit.

If the permittee does not apply for the renewal of this permit, this permit will automatically terminate on the expiration date. Continued discharges from a site that has not been fully stabilized are prohibited beyond the expiration date; unless the permit is reissued or the permittee has filed a timely application for the reissuance of this permit.

### **DUTY TO COMPLY**

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

### **MAILING ADDRESS**

The permittee shall send all written correspondence and forms, which are to be submitted to MDNR to the address listed in the cover letter that accompanies this permit.



**STANDARD CONDITIONS FOR NPDES PERMITS**  
**ISSUED BY**  
**THE MISSOURI DEPARTMENT OF NATURAL RESOURCES**  
**MISSOURI CLEAN WATER COMMISSION**  
**Revised - October 1, 1980**

**PART I - GENERAL CONDITIONS**

**SECTION A - MONITORING AND REPORTING**

1. **Representative Sampling**
  - a. Samples and measurements taken as required herein shall be representative of the nature and volume, respectively, of the monitored discharge. All samples shall be taken at the outfall(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
  - b. Monitoring results shall be recorded and reported on forms provided by the Department, postmarked no later than the 28th day of the month following the completed reporting period. Signed copies of these, and all other reports required herein, shall be submitted to the respective Department Regional Office, the Regional Office address is indicated in the cover letter transmitting the permit.
2. **Schedule of Compliance**

No later than fourteen (14) calendar days following each date identified in the "Schedule of Compliance", the permittee shall submit to the respective Department Regional Office as required therein, either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements, or if there are no more scheduled requirements, when such noncompliance will be corrected. The Regional Office address is indicated in the cover letter transmitting the permit.
3. **Definitions**

Definitions as set forth in the Missouri Clean Water Law and Missouri Clean Water Commission Definition Regulation 10 CSR 20-2.010 shall apply to terms used herein.
4. **Test Procedures**

Test procedures for the analysis of pollutant shall be in accordance with the Missouri Clean Water Commission Effluent Regulation 10 CSR 20-7015.
5. **Recording of Results**
  - a. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
    - (i) the date, exact place, and time of sampling or measurements;
    - (ii) the individual(s) who performed the sampling or measurements;
    - (iii) the date(s) analyses were performed;
    - (iv) the individual(s) who performed the analyses;
    - (v) the analytical techniques or methods used; and
    - (vi) the results of such analyses.
  - b. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or both.
  - c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
6. **Additional Monitoring by Permittee**

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monitoring Report Form. Such increased frequency shall also be indicated.
7. **Records Retention**

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

**SECTION B - MANAGEMENT REQUIREMENTS**

1. **Change in Discharge**
  - a. All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant not authorized by this permit or any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.
  - b. Any facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants shall be reported by submission of a new NPDES application at least sixty (60) days before each such changes, or, if they will not violate the effluent limitations specified in the permit, by notice to the Department at least thirty (30) days before such changes.
2. **Noncompliance Notification**
  - a. If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Department with the following information, in writing within five (5) days of becoming aware of such conditions:
    - (i) a description of the discharge and cause of noncompliance, and
    - (ii) the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.
  - b. Twenty-four hour reporting. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally with 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided with five (5) days of the time the permittee becomes aware of the circumstances. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
3. **Facilities Operation**

Permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions. Operators or supervisors of operations at publicly owned or publicly regulated wastewater treatment facilities shall be certified in accordance with 10 CSR 209.020(2) and any other applicable law or regulation. Operators of other wastewater treatment facilities, water contaminant source or point sources, shall, upon request by the Department, demonstrate that wastewater treatment equipment and facilities are effectively operated and maintained by competent personnel.
4. **Adverse Impact**

The permittee shall take all necessary steps to minimize any adverse impact to waters of the state resulting from noncompliance with any effluent limitations specified in this permit or set forth in the Missouri Clean Water Law and Regulations (hereinafter the Law and Regulations), including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
5. **Bypassing**
  - a. Any bypass or shut down of a wastewater treatment facility and tributary sewer system or any part of such a facility and sewer system that results in a violation of permit limits or conditions is prohibited except:



## SECTION B - MANAGEMENT REQUIREMENTS (continued)

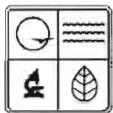
- (i) where unavoidable to prevent loss of life, personal injury, or severe property damages; and
  - (ii) where unavoidable excessive storm drainage or runoff would catastrophically damage any facilities or processes necessary for compliance with the effluent limitations and conditions of this permit;
  - (iii) where maintenance is necessary to ensure efficient operation and alternative measures have been taken to maintain effluent quality during the period of maintenance.
- b. The permittee shall notify the Department in writing of all bypasses or shut down that result in a violation of permit limits or conditions. This section does not excuse any person from liability, unless such relief is otherwise provided by the statute.
6. **Removed Substances**  
Solids, sludges, filter backwash, or any other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutants from entering waters of the state unless permitted by the Law, and a permanent record of the date and time, volume and methods of removal and disposal of such substances shall be maintained by the permittee.
7. **Power Failures**  
In order to maintain compliance with the effluent limitations and other provisions of this permit, the permittee shall either:
  - a. in accordance with the "Schedule of Compliance", provide an alternative power source sufficient to operate the wastewater control facilities; or,
  - b. if such alternative power source is not in existence, and no date for its implementation appears in the Compliance Schedule, halt or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.
8. **Right of Entry**  
For the purpose of inspecting, monitoring, or sampling the point source, water contaminant source, or wastewater treatment facility for compliance with the Clean Water Law and these regulations, authorized representatives of the Department, shall be allowed by the permittee, upon presentation of credentials and at reasonable times;
  - a. to enter upon permittee's premises in which a point source, water contaminant source, or wastewater treatment facility is located or in which any records are required to be kept under terms and conditions of the permit;
  - b. to have access to, or copy, any records required to be kept under terms and conditions of the permit;
  - c. to inspect any monitoring equipment or method required in the permit;
  - d. to inspect any collection, treatment, or discharge facility covered under the permit; and
  - e. to sample any wastewater at any point in the collection system or treatment process.
9. **Permits Transferable**
  - a. Subject to Section (3) of 10 CSR 20-6.010 an operating permit may be transferred upon submission to the Department of an application to transfer signed by a new owner. Until such time as the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
  - b. The Department, within thirty (30) days of receipt of the application shall notify the new permittee of its intent to revoke and reissue or transfer the permit.
10. **Availability of Reports**  
Except for data determined to be confidential under Section 308 of the Act, and the Law and Missouri Clean Water Commission Regulation for Public Participation, Hearings and Notice to Governmental Agencies 10 CSR 20-6.020, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by statute, effluent data shall not be considered confidential. Knowingly making any false statement on any such report shall be subject to the imposition of criminal penalties as provided in Section 204.076 of the Law.
11. **Permit Modification**
  - a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
    - (i) violation of any terms or conditions of this permit or the Law;
    - (ii) having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
    - (iii) a change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge, or
    - (iv) any reason set forth in the Law and Regulations.
  - b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
12. **Permit Modification - Less Stringent Requirements**  
If any permit provisions are based on legal requirements which are lessened or removed, and should no other basis exist for such permit provisions, the permit shall be modified after notice and opportunity for a hearing.
13. **Civil and Criminal Liability**  
Except as authorized by statute and provided in permit conditions on "Bypassing" (Standard Condition B-5) and "Power Failures" (Standard Condition B-7) nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.
14. **Oil and Hazardous Substance Liability**  
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act, and the Law and Regulations. Oil and hazardous materials discharges must be reported in compliance with the requirements of the Federal Clean Water Act.
15. **State Laws**  
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state statute or regulations.
16. **Property Rights**  
The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of or violation of federal, state or local laws or regulations.
17. **Duty to Reapply**  
If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit 180 days prior to expiration of this permit.
18. **Toxic Pollutants**  
If a toxic effluent standard, prohibition, or schedule of compliance is established, under Section 307(a) of the Federal Clean Water Act for a toxic pollutant in the discharge of permittee's facility and such standard is more stringent than the limitations in the permit, then the more stringent standard, prohibition, or schedule shall be incorporated into the permit as one of its conditions, upon notice to the permittee.
19. **Signatory Requirement**  
All reports, or information submitted to the Director shall be signed (see 40 CFR-122.6).
20. **Rights Not Affected**  
Nothing in this permit shall affect the permittee's right to appeal or seek a variance from applicable laws or regulations as allowed by law.
21. **Severability**  
The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.



Receipt ID: 323329

MOR109FP2

AP: 3050



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
**FORM E – APPLICATION FOR GENERAL PERMIT**  
UNDER MISSOURI CLEAN WATER LAW

## FOR AGENCY USE ONLY

CHECK NUMBER

1567

DATE RECEIVED

11-16-10

FEE SUBMITTED

300<sup>00</sup>

## 1.00 CATEGORY OF GENERAL PERMIT APPLIED FOR

Land Disturbance

## 1.10

- ☐ a. This facility is now in operation under Missouri Operating Permit Number, or NPDES, MO – \_\_\_\_\_ and there is not a proposed increase in design flow.
- ☐ b. This facility is now in operation under Missouri Operating Permit Number MO – \_\_\_\_\_ and there is a proposed increase in design flow.
- ☒ c. This is a new permit.

If you checked either item b or c above then you may need to submit an antidegradation review. See instructions.

## 2.00 NAME OF FACILITY

Coastal Energy Rail Spur

## 2.10 ADDRESS (PHYSICAL)

Industrial Drive &amp; Coastal Drive

## CITY

Willow Springs

## STATE

Missouri

## ZIP CODE

65793

## 3.00 OWNER

## NAME

Coastal Energy Corporation

## E-MAIL ADDRESS

jeff@coastal-fmc.com

TELEPHONE NUMBER WITH AREA CODE (417) 469-2777

FAX NUMBER WITH AREA CODE (417) 469-4994

## STREET

1 Coastal Drive

## CITY

Willow Springs

## STATE

Missouri

## ZIP CODE

65793

## 4.00 CONTINUING AUTHORITY

## NAME

Coastal Energy Corporation

## E-MAIL ADDRESS

jeff@coastal-fmc.com

TELEPHONE NUMBER WITH AREA CODE (417) 252-0984

FAX NUMBER WITH AREA CODE (417) 469-4994

## STREET

1 Coastal Drive

## CITY

Willow Springs

## STATE

Missouri

## ZIP CODE

65793

## 5.00 OPERATOR

## NAME

Jeff Cunningham

TELEPHONE NUMBER WITH AREA CODE

(417) 252-0984

## 6.00 FACILITY CONTACT

## NAME

Jeff Cunningham

TELEPHONE NUMBER WITH AREA CODE (417) 252-0984

FAX NUMBER WITH AREA CODE (417) 469-4994

## TITLE

## 7.00 FOR EACH OUTFALL GIVE THE LEGAL DESCRIPTION (ATTACH ADDITIONAL SHEETS AS NECESSARY)

Outfall Number 1 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec. 33 T 27 R 9 Howell County

Outfall Number 2 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec. 32 T 27 R 9 Howell County

Outfall Number \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$  Sec. \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ County

## 7.10 FOR EACH OUTFALL LIST THE NAME OF THE RECEIVING WATER

Outfall Number 1 Receiving Water Eleven Point RiverOutfall Number 2 Receiving Water Eleven Point River

Outfall Number \_\_\_\_\_ Receiving Water \_\_\_\_\_

## 7.20 BRIEFLY DESCRIBE THE NATURE OF YOUR BUSINESS

Earthwork for construction of new rail spur and tank storage facilities7.30 Does the discharge(s) for which you are seeking a permit discharge to a combined sewer system? ☐ Yes ☒ No7.40 Primary SIC Code 51717.50 If this application is for a storm water permit, list any materials that are stored outside and exposed to storm water. N/A

7.60 Attach a USGS 1" = 2,000' scale map showing the location of the facility in relation to the local road system. Indicate on the map the facility, the receiving stream, the points of discharge and the map section, township and range.

7.70 If this is an existing discharge, submit a summary of pollutants analyzed in the past two years.

7.80 What is the method of domestic wastewater disposal? City of Willow Springs

7.90 I certify that I am familiar with the information contained in the application and to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to applicant under the Missouri Clean Water Law of Missouri Clean Water Commission.

## A. NAME AND OFFICIAL TITLE (TYPE OR PRINT)

Jeff Cunningham

## B. TELEPHONE NUMBER WITH AREA CODE

(417) 252-0984

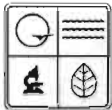
## C. SIGNATURE

## D. DATE SIGNED

11-22-2010







MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
**FORM G – APPLICATION FOR STORM WATER PERMIT (FORM E MUST BE INCLUDED)**  
**UNDER THE GENERAL PERMIT: LAND DISTURBANCE**

**A map of the appropriate regional office is available on the department's Web site at [dnr.mo.gov/regions/regions.htm](http://dnr.mo.gov/regions/regions.htm).**

Name of development

Coastal Energy Rail Spur

Phase (Indicate Phase I, II, etc., if applicable.)

N/A

Nature of construction activity

Excavation and embankment for construction of pad for new storage facilities and new rail spur.

Physical location of development (Address, if assigned.)

Industrial Drive & Coastal Drive

Date construction is to begin

12/01/2010

Total area of site: 9 acres

Total area of land to be disturbed: 9 acres

Is a department of Natural Resources approved erosion control plan operative in the city or the unincorporated area of the county in which the land disturbance is occurring?

☐ Yes ☒ No

If yes, a letter of approval or a copy of a permit from the local authority is required and must be enclosed for the permit to be issued.

☐ Please check this box if enclosed.

Has a Storm Water Pollution Prevention Plan, or SWPPP, been developed for this site?

(This plan must be developed in accordance with requirements and guidelines specified within the general permit for storm water discharges from land disturbance activities. The application will be considered incomplete if the Storm Water Pollution Prevention Plan has not been developed. Please do not enclose a copy of the plan. A copy of the Storm Water Pollution Prevention Plan may be requested by the department at any time.)

☒ Yes ☐ No

The department requests that a completed Storm Water Pollution Prevention Plan be submitted along with the application if:

☐ The receiving water is Lake of the Ozarks, or

☐ The first classified waterbody is Lake of the Ozarks.

Summarize the measures (Best Management Practices) from the Storm Water Pollution Prevention Plan that will be used to control pollutants in storm water discharges during constructions.

Silt fences, diversion berms and a temporary sedimentation basin will be used to minimize sediment transport during construction.

Summarize Best Management Practices from the Storm Water Pollution Prevention Plan that will remain in place after construction operations have been completed.

Topsoiling, seeding & mulching will be applied to the sites to establish vegetation and prevent sediment transport. Diversion berms and sedimentation basin will remain in place and double as secondary containment for storage tanks.

Describe the nature of the fill material.

Reddish-brown clay with broken rock fragments.



**ATTACH ANY EXISTING DATA CONCERNING SOIL OR QUALITY OF THE DISCHARGE.**

Estimate of runoff coefficient of site. 0.15

Estimate of increase in impervious area. 0 %

Estimate of runoff coefficient upon completion. 0.15

Is the land disturbance within 1,000 feet of:

☐ Water classified in 10 CSR 20-7.031 water quality standards as a public drinking water supply lake (L<sub>1</sub>), outstanding national or state resource waters, or streams designated for cold-water sport fishery.

☐ Streams, lakes or reservoirs identified as critical habitat for endangered species as determined by Missouri Department of Conservation and U.S. Fish and Wildlife Service.

Is the land disturbance within 100 feet of waters classified as major reservoirs (L<sub>2</sub>) or permanent flow streams (P), except the Missouri and Mississippi rivers, or within two stream miles upstream of biocriteria reference locations as defined in 10 CSR 20, Chapter 7?

☐ Yes ☒ No

Is any part of the area that is being disturbed discharging to a jurisdictional water of the United States?

☐ Yes ☒ No

If **yes**, have you received a CWA, Section 404 Permit for this site from the United States Army Corps of Engineers? (The permit cannot be issued until the site is under a 404 or Nationwide General Permit, if one is required.)

☐ Yes ☒ No

Does the storm water runoff discharge to a sinkhole, losing stream, or any other topographical feature that would be a direct conduit to groundwater?

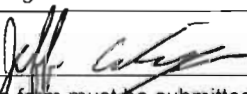
☒ Yes ☐ No

I certify I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to an applicant under the Missouri Clean Water Law of the Missouri Clean Water Commission.

Name and Official Title  
Jeff Cunningham

Telephone number with area code  
(417) 252-0984

Signature



Date signed

11-22-2010

**Note:** This form must be submitted with the permit fee (\$300), map and *Form E – Application for a General Permit* (780-0795). The form is available on the department's Web site at [dnr.mo.gov/forms/780-0795.doc](http://dnr.mo.gov/forms/780-0795.doc) or [dnr.mo.gov/forms/780-0795.pdf](http://dnr.mo.gov/forms/780-0795.pdf).





LOCATION SKETCH

SCALE: 1" = 2000'

NORTH



COASTAL ENERGY  
LOCATION MAP  
WILLOW SPRINGS, MISSOURI  
SECTION 32 & 33, T27N, R9W



STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

[www.dnr.mo.gov](http://www.dnr.mo.gov)

Coastal Energy Corporation  
1 Coastal Drive  
Willow Springs, MO 65793

Dear Coastal Energy Corporation:

Enclosed please find your Missouri State Operating Permit which authorizes land disturbance activities for Coastal Energy Rail Spur. This permit has been issued at your request and is based upon information submitted in your application to the department. Please note that Missouri State Operating Permit MORA00246 replaces the previous Missouri State Operating Permit MO-R109FP2.

Acquisition of this permit does not imply that the requirements or ordinances of other local, state or federal permits are replaced or superseded. This permit does not authorize land disturbance activity in jurisdictional waters of the United States as defined by the Army Corps of Engineers (Corps), unless the permittee has obtained the required Clean Water Act Section 404 Permit. Not all land disturbance projects will require a 404 permit; however, if a 404 permit is required, land disturbance activities are not to be conducted in the jurisdictional area of the project until the 404 permit has been obtained. Information for the Missouri Corps offices can be found in the general operating permit's Fact Sheet.

This permit contains several requirements and should be thoroughly read and understood by you. If your permit requires environmental monitoring, copies of the necessary forms have been enclosed. In all future correspondence regarding your permit please reference your permit number as shown on page 1 of the permit.

Please contact the Water Pollution Enforcement and Compliance Unit if you would like to schedule an Environmental Assistance Visit (EAV) at 573-751-1300. During the visit, staff will review the requirements of the permit and answer any questions that you may have. The department's regional office staff may also contact you to schedule an EAV.

If you were adversely affected by this decision, you may be entitled to an appeal before the administrative hearing commission pursuant to 10 CSR 20-1.020 and Sections 644.051.6 and 621.250, RSMo. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission. Contact information for the AHC is as follows: Administrative Hearing Commission, Truman State Office Building, Room 640, 301 W. High Street, P.O. Box 1557, Jefferson City, MO 65102, Phone: 573-751-2422, Fax: 573-751-5018, Website: [www.oa.mo.gov/ahc](http://www.oa.mo.gov/ahc).

Please be aware that this facility may also be subject to any applicable county or other local ordinances or restrictions.

Sincerely,

Southeast Regional Office



Gary L. Gaines, P.E.  
Regional Director

GLG

Enclosure



STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

**General Operating Permit**

In compliance with the Missouri Clean Water Law, (chapter 644 R.S. Mo as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended.

Permit No: MORA00246  
Owner: Coastal Energy Corporation  
Address: 1 Coastal Drive  
WILLOW SPRINGS, MO 65793  
  
Continuing Authority: Coastal Energy Corporation  
P.O. Box 218  
Willow Springs, MO 65793  
  
Facility Name: Coastal Energy Rail Spur  
Facility Address: Industrial Drive and Coastal Drive  
WILLOW SPRINGS, MO 65793  
  
Legal Description: Sec. 32, T27N, R09W, Howell County  
UTM Coordinates: 593442.900/4092517.900  
Receiving Stream: Unnamed Tributary of Eleven Point River (U)  
First Classified Stream - ID#: Eleven Point R. (C) 2604.00  
USGS# and Sub Watershed#: 11010011 - 0101

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein.

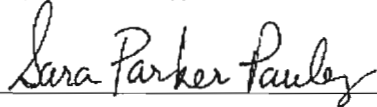
**FACILITY DESCRIPTION** All Outfalls SIC #1629

All Outfalls - Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading and other activities that result in the destruction of the root zone and/or land disturbance activity that is reasonably certain to cause pollution to waters of the state).

This permit authorizes only wastewater, including storm water, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System. It does not apply to other regulated areas. This permit may be appealed in accordance with RSMo Section 644.051.6 and 621.250, 10 CSR 20-6.020, and 10 CSR 20-1.020.


February 21, 2012

Issue Date

  
Sarah Parker Pauley, Director  
Department of Natural Resources

February 07, 2017

Expiration Date

  
Gary L. Gaines, P.E.  
Regional Director, Southeast Regional Office



A. APPLICABILITY

1. This general permit authorizes the discharge of stormwater and certain non-stormwater discharges from land disturbance sites that disturb one or more acres or disturb less than one acre when part of a larger common plan of development or sale that will disturb a cumulative total of one or more acres over the life of the project. This general permit also authorizes the discharge of stormwater and certain non-stormwater discharges from smaller projects where the Missouri Department of Natural Resources (Department) has exercised its discretion to require a permit [10 CSR 20-6.200 (1)(B)].

A Missouri State Operating Permit that specifically identifies the project must be issued before any site vegetation is removed or the site disturbed.

Any site owner/operator subject to these requirements for stormwater discharges and who disturbs land prior to permit issuance from the Department is in violation of both State and Federal Laws.

The legal owner of the property or the holder of an easement on the property, and operator on which the site is located are responsible for compliance with this permit.

2. This permit authorizes non-stormwater discharges from the following activities provided that these discharges are addressed in the permittee's specific Stormwater Pollution Prevention Plan (SWPPP) required by this general permit:
  - a. De-watering activities if there are no contaminants other than sediment present in the discharge, and the discharge is treated as specified in Requirements, Section C.3.m. of this permit;
  - b. Flushing water hydrants and potable water lines;
  - c. Water only (i.e., without detergents or additives) rinsing of streets and buildings; and
  - d. Site watering to establish vegetation.
3. This general permit does not authorize the placement of fill materials in flood plains, the obstruction of stream flow, directing stormwaters across private property not owned or operated by the permittee, or changing the channel of a defined drainage course. This general permit addresses only the quality of the stormwater runoff and the minimization of off-site migration of sediments and other water contaminants.
4. This general permit does not authorize any discharge to waters of the state of sewage or pollutants including but not limited to:
  - a. Any hazardous material, oil, lubricant, solid waste or other non-naturally occurring substance from the site, including fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
  - b. Soaps or solvents used in vehicle and equipment washing;
  - c. Hazardous substances or petroleum products from an on-site spill or handling and disposal practices;
  - d. Wash and/or rinse waters from concrete mixing equipment including ready mix concrete trucks, unless managed by an appropriate control. Any such pollutants must be adequately treated and addressed in the SWPPP, and cannot be discharged to waters of the state;
  - e. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
  - f. Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds;
  - g. Domestic wastewaters, including gray waters; or
  - h. Industrial stormwater runoff.



A. APPLICABILITY (continued)

5. The Department reserves the right to revoke or deny coverage under this general permit to applicants for stormwater discharges from land disturbance activities at sites that have contaminated soils that will be disturbed by the land disturbance activity or where such materials are brought to the site to use as fill or borrow. A site-specific permit may be required to cover such activities.
6. Discharges shall not cause violations of the Water Quality Standards 10 CSR 20-7.0.031(3). If at any time the Department determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site-specific permit, the Department may require any person to obtain a site-specific operating permit [10 CSR 20-6.010(13)(C)].

The Department may require the permittee to apply for and obtain a site-specific or different general permit if:

- a. The permittee is not in compliance with the conditions of this general permit;
- b. The discharge no longer qualifies for this general permit due to changed site conditions and/or regulations; or
- c. Information becomes available that indicates water quality standards have been or may be violated.

The permittee will be notified in writing of the requirement to apply for a site-specific permit or a different general permit. When a site-specific permit or different general permit is issued to the authorized permittee, the applicability of this general permit to the permittee is automatically terminated upon the effective date of the site specific or different general permit.

7. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site-specific permit [10 CSR 20-6.010(13)(D)].
8. This permit does not authorize land disturbance activity in jurisdictional waters of the United States as defined by the Army Corps of Engineers, unless the permittee has obtained the required 404/401 permit. Land disturbance activities may not begin in the affected portions of the site until the required 404/401 permits have been obtained.
9. This permit does not supersede compliance with the Historic Preservation Act or the Endangered Species Act.
10. This permit does not supersede any requirement for obtaining project approval under an established local authority.
11. This permit is not transferable to other owners or operators.



## B. EXEMPTIONS FROM PERMIT REQUIREMENTS

1. Facilities that discharge all stormwater runoff directly to a combined sewer system are exempt from stormwater permit requirements.
2. Land disturbance activity as described in [10 CSR 20-6.200(1)(B)] and [10 CSR 20-6.010(1)(B)] where water quality standards are not exceeded.
3. Linear, strip, or ribbon construction (as described in [10 CSR 20-6.200(1)(B)8]) where water quality standards are not exceeded.
4. Sites that disturb less than one acre of total land area as described in [10 CSR20-6.200 (1)(B)7], that are not part of a common plan or sale and that do not cause any violations of water quality standards, and are not otherwise designated by the Department as requiring a permit.
5. Agricultural stormwater discharges and irrigation return flows as described in [10CSR 20-6.200 (1)(B)6].

## C. REQUIREMENTS

These requirements do not supersede nor remove any requirement to comply with county or other local ordinances [10 CSR20-6.010(14)(D)]:

1. This permit is to ensure the design, the installation and the maintenance of effective erosion controls and sediment controls to minimize the discharge of pollutants. At minimum, such controls must be designed, installed and maintained to:
  - a. Control stormwater volume and velocity within the site to minimize soil erosion;
  - b. Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
  - c. Minimize the amount of soil exposed during construction activity;
  - d. Minimize the disturbance of steep slopes;
  - e. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle size expected to be present on the site.;
  - f. Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible; and
  - g. Minimize soil compaction and, unless infeasible, preserve topsoil.
2. The primary requirement of this permit is the development and implementation of a SWPPP which incorporates site specific practices to best minimize the soil exposure, soil erosion, and the discharge of pollutants. The permittee shall fully implement the provisions of the SWPPP required under this part as a condition of this general permit throughout the term of the land disturbance project. **The SWPPP must be developed prior to issuance of the permit and must be specific to the land disturbance activities at the site.** A permit must be issued before any disturbance of root zone of the existing vegetation or other land disturbance activities may begin. A copy of the SWPPP must be available on-site when land disturbance operations are in progress, or other operational activities that may affect the maintenance or integrity of the Best Management Practices (BMP) structures and made available made available as specified under Section F. Records of this permit.



C. REQUIREMENTS (continued)

The SWPPP must:

- a. List and describe all outfalls;
- b. Incorporate required practices identified below;
- c. Incorporate erosion control practices specific to site conditions;
- d. Provide for maintenance and adherence to the plan;
- e. Discuss whether or not a 404/401 Permit is required for the project; and
- f. Name the person responsible for inspection, operation and maintenance of BMPs.

The purpose of the SWPPP is to ensure; the design, implementation, management and maintenance of BMPs in order to prevent sediment and other pollutants in stormwater discharges associated with the land disturbance activities; compliance with the Missouri Water Quality Standards; and compliance with the terms and conditions of this general permit.

The permittee shall select, install, use, operate and maintain appropriate BMPs for the permitted site. The following manuals are acceptable resources for the selection of appropriate BMPs. *Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites*, (Document number EPA 833-R-06-004) published by the United States Environmental Protection Agency (USEPA) in May 2007. This manual as well as other information, including examples of construction SWPPPs, is available at the USEPA internet site at <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>; and

The latest version of *Protecting Water Quality: A field guide to erosion, sediment and stormwater best management practices for development sites in Missouri*, published by the Missouri Department of Natural Resources. This manual is available on the Department's internet site at: <http://www.dnr.mo.gov/env/wpp/wpcp-guide.htm>.

The permittee is not limited to the use of these guidance manuals. Other guidance publications may be used to select appropriate BMPs. However, all BMPs should be described and justified in the SWPPP.

3. SWPPP Requirements: The following information and practices shall be provided for in the SWPPP:

- a. Nature of the Construction Activity: The SWPPP briefly must describe the nature of the construction activity, including:
  - 1) The function of the project (e.g., low density residential, shopping mall, highway, etc.);
  - 2) The intended sequence and timing of activities that disturb the soils at the site;
  - 3) Estimates of the total area expected to be disturbed by excavation, grading, or other construction activities including off-site borrow and fill areas; and
  - 4) A general map (e.g., United States Geological Survey quadrangle map, a portion of a city or county map, or other map) with enough detail to identify the location of the construction site and waters of the United States within one mile of the site.



C. REQUIREMENTS (continued)

- b. Site Map: The SWPPP must contain a legible site map showing the site boundaries and outfalls and identifying:
  - 1) Direction(s) of stormwater flow and approximate slopes anticipated after grading activities;
  - 2) Areas of soil disturbance and areas that will not be disturbed (or a statement that all areas of the site will be disturbed unless otherwise noted);
  - 3) Location of major structural and non-structural BMPs identified in the SWPPP;
  - 4) Locations where stabilization practices are expected to occur;
  - 5) Locations of off-site material, waste, borrow or equipment storage areas;
  - 6) Locations of all waters of the United States (including wetlands);
  - 7) Locations where stormwater discharges to a surface water; and
  - 8) Areas where final stabilization has been accomplished and no further construction-phase permit requirements apply.
- c. Site Description: In order to identify the site, the SWPPP shall include facility and outfall information. The SWPPP shall have sufficient information to be of practical use to contractors and site construction workers to guide the installation and maintenance of BMPs.
- d. Effluent Limits: The permittee must select control measurements (e.g., BMPs, controls, practices, etc.) to meet effluent limits found in Section E.1. of this permit. All control measures must be properly selected, installed and maintained in accordance with any relevant manufacturer specifications and good engineering practices. The permittee must implement the control measures from commencement of the construction activity until final stabilization is complete unless the exception noted in Section C.3.i. of this permit applies.
- e. Selection of Temporary and Permanent Non-Structural BMPs: The permittee shall select appropriate non-structural BMPs for use at the site and list them in the SWPPP. The SWPPP shall require existing vegetation to be preserved where practical. For surface waters located on or immediately adjacent to the site, the permittee must provide at minimum a 25-foot buffer of undisturbed natural vegetation between the disturbed portions of the site and the surface water unless infeasible or where there is a more stringent local requirement. The time period for disturbed areas to be without vegetative cover is to be minimized to the maximum extent practicable.

Examples of non-structural BMPs which the permittee should consider specifying in the SWPPP include preservation of trees and mature vegetation, protection of existing vegetation for use as buffer strips, mulching, sodding, temporary seeding, final seeding, geotextiles, stabilization of disturbed areas, preserving existing stream channels as overflow areas when channel straightening or shortening is allowed, soil stabilizing emulsions and tackifiers, mulch tackifiers, stabilized site entrances/exits and other appropriate BMPs.

- f. Selection of Temporary and Permanent Structural BMPs: The permittee shall select appropriate structural BMPs for use at the site and list them in the SWPPP. Examples of structural BMPs that the permittee should consider specifying in the SWPPP include diverting flows from undisturbed areas away from disturbed areas, silt (filter fabric and/or straw bale) fences, earthen diversion dikes, drainage swales, sediment traps, rock check dams, subsurface drains (to gather or transport water for surface discharge elsewhere), pipe slope drains (to carry concentrated flow down a slope face), level spreaders (to distribute concentrated flow into sheet flow), storm drain inlet protection and outlet protection, reinforced soil retaining systems, gabions, temporary or permanent sediment basins and other appropriate BMPs.



C. REQUIREMENTS (continued)

- g. Description of BMPs: The SWPPP shall include a description of both structural and non-structural BMPs that will be used at the site.

The SWPPP shall provide the following general information for each BMP which will be used one or more times at the site:

- 1) Physical description of the BMP;
- 2) Site and physical conditions that must be met for effective use of the BMP;
- 3) BMP installation/construction procedures, including typical drawings; and
- 4) Operation and maintenance procedures for the BMP.

The SWPPP shall provide the following information for each specific instance where a BMP is to be installed:

- 1) Whether the BMP is temporary or permanent;
- 2) Where, in relation to other site features, the BMP is to be located;
- 3) When the BMP will be installed in relation to each phase of the land disturbance procedures to complete the project; and
- 4) Site conditions that must be met before removal of the BMP if the BMP is not a permanent BMP.

- h. Disturbed Areas: Slopes for disturbed areas must be defined in the SWPPP. A site map or maps defining the sloped areas for all phases of the project must be included in the SWPPP. Stabilization must be initiated immediately and completed within seven (7) calendar days where soil disturbing activities have temporarily ceased on any portion of the site and will not resume for a period exceeding fourteen (14) calendar days the permittee shall construct BMPs to establish interim stabilization. Interim stabilization shall consist of well established and maintained BMPs that are reasonably certain to protect waters of the state from sediment pollution over an extended period of time. This may require adding more BMPs to an area than is normally used during daily operations. These BMPs may include a combination of sediment basins, check dams, sediment fences and mulch. The types of BMPs used must be suited to the area disturbed, taking into account the number of acres exposed and the steepness of the slopes. If the slope of the area is greater than 3:1 (three feet horizontal to one foot vertical) or if the slope is greater than 3% and greater than 150 feet in length, then the permittee shall establish interim stabilization within seven days of ceasing operations on that part of the site. Final stabilization of disturbed areas must be initiated immediately and completed within seven (7) calendar days whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site. Allowances to the seven (7) day completion period for temporary and final stabilization may be made due to weather and equipment malfunctions. The use of allowances shall be documented in the SWPPP.

- i. Installation: The permittee shall ensure the BMPs are properly installed at the locations and relative times specified in the SWPPP. Peripheral or border BMPs to control runoff from disturbed areas shall be installed or marked for preservation before general site clearing is started. Note that this requirement does not apply to earth disturbances related to initial site clearing and establishing entry, exit and access of the site, which may require that stormwater controls be installed immediately after the earth disturbance. Stormwater discharges from disturbed areas which leave the site shall pass through an appropriate impediment to sediment movement such as a sedimentation basin, sediment traps and silt fences prior to leaving the land disturbance site. A drainage course change shall be clearly marked on a site map and described in the SWPPP. The location of all BMPs must be indicated on a site map, included in the SWPPP.



C. REQUIREMENTS (continued)

- j. Sedimentation Basins: The SWPPP shall include a sedimentation basin for each drainage area with ten or more acres disturbed at one time. The sedimentation basin shall be sized to contain a volume of at least 3,600 cubic feet per each disturbed acre draining thereto. Accumulated sediment shall be removed from the basin when basin is 50% full. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface unless infeasible. Discharges from the basin shall not cause scouring of the banks or bottom of the receiving stream. The SWPPP shall require the basin be maintained until final stabilization of the disturbed area served by the basin.

Where use of a sediment basin is impractical, the SWPPP shall evaluate and specify other similarly effective BMPs to be employed to control erosion and sediment delivery. These similarly effective BMPs shall be selected from appropriate BMP guidance documents authorized by this permit. The BMPs must provide equivalent water quality protection to achieve compliance with this permit. The SWPPP shall require both temporary and permanent sedimentation basins to have a stabilized spillway to minimize the potential for erosion of the spillway or basin embankment.

- k. Pollution Prevention Measures: The SWPPP shall include BMPs for pollution prevention measures. At minimum such measures must be designed, installed, implemented and maintained to:
- 1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
  - 2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
  - 3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures. Included but not limited to the installation of containment berms and use of drip pans at petroleum product and liquid storage tanks and containers.
- l. Roadways: Where applicable, upon installation of or connection to roadways, all efforts should be made to prevent the deposition of earth and sediment onto roadways through the use of proper BMPs. Stormwater inlets susceptible to receiving sediment from the permitted land disturbance site shall have curb inlet protection. Where stormwater will flow off the end of where a roadway terminates, a sediment catching BMP such as gravel berm or silt fence shall be provided. Roadways and curb inlets shall be cleaned weekly or following a rainfall that generates a run-off. Where practicable, construction entrance BMP controls shall be used to prevent sediment trackout.
- m. Dewatering: Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls. The SWPPP shall include a description of any anticipated dewatering methods including the anticipated volume of water to be discharged and the anticipated maximum flow discharged from these dewatering activities expressed in gallons per minute. Maximum flow may be stated in the SWPPP as an estimate based on the type and capacity of equipment being used for dewatering. The SWPPP shall call for specific BMPs designed to treat water pumped from trenches and excavations and in no case shall this water be pumped off-site without being treated by the specified BMPs. When discharging from basins and impoundments utilize outlet structures that withdraw water from the surface, unless infeasible.



C. REQUIREMENTS (continued)

4. Good housekeeping practices shall be maintained at all times to keep waste from entering waters of the state. Solid and hazardous waste management include providing trash containers and regular site clean up for proper disposal of solid waste such as scrap building material, product/material shipping waste, food containers and cups, and providing containers and proper disposal of waste paints, solvents and cleaning compounds. The provision of portable toilets for proper disposal of sanitary sewage and the storage of construction materials should be kept away from drainage courses and low areas.
5. All fueling facilities present shall at all times adhere to applicable federal and state regulations concerning underground storage, above ground storage and dispensers.
6. Hazardous wastes that are transported, stored, or used for maintenance, cleaning, or repair shall be managed according to the provisions of the Missouri Hazardous Waste Laws and Regulations.
7. All paint, solvents, petroleum products, petroleum waste products and storage containers such as drums, cans, or cartons shall be stored according to BMPs. The materials exposed to precipitation shall be stored in watertight, structurally sound, closed containers. All containers shall be inspected for leaks or spillage during the once per week inspection of BMPs.
8. Amending/Updating the SWPPP: The permittee shall amend and update the SWPPP as appropriate during the term of the land disturbance activity. The permittee shall amend the SWPPP at a minimum whenever the:
  - a. Design, operation, or maintenance of BMPs is changed;
  - b. Design of the construction project is changed that could significantly affect the quality of the stormwater discharges;
  - c. Permittee's inspections indicate deficiencies in the SWPPP or any BMP;
  - d. Department notifies the permittee in writing of deficiencies in the SWPPP;
  - e. SWPPP is determined to be ineffective in minimizing or controlling erosion and sedimentation (e.g., there is visual evidence of excessive site erosion or excessive sediment deposits in streams or lakes);
  - f. Settleable Solids from a stormwater outfall exceed 2.5 ml/L; and
  - g. Department determines violations of water quality standards may occur or have occurred.
9. An individual shall be designated by the permittee as responsible for environmental matters. The individual responsible for environmental matters shall have a thorough and demonstrable knowledge of the site's SWPPP and sediment and erosion control practices in general. The individual responsible for environmental matters or a designated inspector knowledgeable in erosion, sediment and stormwater control principles shall inspect all structures that function to prevent pollution of waters of the state. These inspections shall be conducted in accordance with C.10 of these requirements.



C. REQUIREMENTS (continued)

10. Site Inspections Reports: The permittee (or a representative of the permittee) shall conduct regularly scheduled inspections at least once per seven calendar days. These inspections shall be conducted by a qualified person, one who is responsible for environmental matters at the site, or a person trained by and directly supervised by the person responsible for environmental matters at the site. For disturbed areas that have not been finally stabilized, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation and maintenance. All stormwater outfalls shall be inspected for evidence of erosion or sediment deposition. When practicable the receiving stream shall also be inspected for 50 feet downstream of the outfall. Any structural or maintenance problems shall be noted in an inspection report and corrected within seven calendar days of the inspection. If a rainfall causes stormwater runoff to occur on-site, the BMPs must be inspected within a reasonable time period after the rainfall event has ceased. These inspections must occur within 48 hours after the rain event has ceased during a normal work day and within 72 hours if the rain event ceases during a non-work day such as a weekend or holiday.

The SWPPP must explain how the person responsible for erosion control will be notified when stormwater runoff occurs. If weather conditions prevent correction of BMPs within 7 calendar days, the reasons for the delay must be documented (including pictures) and there must be a narrative explaining why the work cannot be accomplished within the 7 day time period. The documentation must be filed with the regular inspection reports. The permittee shall correct the problem as soon as weather conditions allow. Areas on-site that have been finally stabilized must be inspected at least once per month.

A log of each inspection and copy of the inspection report shall be kept on-site. The inspection report shall be signed by the permittee or by the person performing the inspection if duly authorized to do so. The inspection report is to include the following minimum information:

- a. Inspector's name;
  - b. Date of inspection;
  - c. Observations relative to the effectiveness of the BMPs;
  - d. Actions taken or necessary to correct the observed problem; and
  - e. Listing of areas where land disturbance operations have permanently or temporarily stopped.
11. Proper Operation and Maintenance: The permittee shall at all times maintain all pollution control measures and systems in good order to achieve compliance with the terms of this general permit.
  12. Notification to All Contractors: The permittee shall be responsible for notifying each contractor or entity (including utility crews and city employees or their agents) who will perform work at the site of the existence of the SWPPP and what action or precautions shall be taken while on-site to minimize the potential for erosion and the potential for damaging any BMP. The permittee is responsible for any damage a subcontractor may do to established BMPs and any subsequent water quality violation resulting from the damage.
  13. Public Notification: The permittee shall post a copy of the public notification sign described by the Department at the main entrance to the site. The public notification sign must be visible from the public road that provides access to the site's main entrance. An alternate location is acceptable provided the public can see it and it is noted in the SWPPP. The public notification sign must remain posted at the site until the permit has been terminated.



D. OTHER DISCHARGES

1. Hazardous Substance and Oil Spill Reporting: Refer to Section B, #14 of Part I of the Standard Conditions that accompany this permit.
2. Removed substances: Refer to Section B, #6 of Part I of the Standard Conditions that accompany this permit.
3. Change in discharge: In the event soil contamination or hazardous substances are discovered at the site during land disturbance activities, the permittee shall notify the Department's regional office by telephone as soon as practicable but no later than 24 hours after discovery. The permittee must also notify the Department's regional office in writing no later than 14 calendar days after discovery.

E. SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS

1. The effluent limitation for Settleable Solids from a stormwater outfall discharging shall not exceed 2.5 ml/L per Standard Method 2540 F.
2. The Department may take samples as part of a routine site inspection or complaint investigation for storm events up to the local 2-year, 24-hour storm.
3. The Department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or other such evidence of contamination from activities at the site. If such an action is needed, the Department will specify in writing any sampling requirements, including such information as location, extent and parameters.

F. RECORDS

1. The permittee shall retain copies of this general permit, the SWPPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis and all site inspection records required by this general permit. The records shall be accessible during normal business hours. The records shall be retained for a period of at least three years from the date of the Letter of Termination.
2. The permittee shall provide a copy of the SWPPP to the Department, USEPA, or any local agency or government representative if they request a copy in the performance of their official duties.
3. The permittee shall provide a copy of the SWPPP to those who are responsible for installation, operation, or maintenance of any BMP. The permittee, their representative, and/or the contractor(s) responsible for installation, operation and maintenance of the BMPs shall have a current copy of the SWPPP with them when on the project site.



## G. LAND PURCHASE AND CHANGE OF OWNERSHIP

1. Federal and Missouri stormwater regulations [10 CSR 20-6.200] require a stormwater permit and erosion control measures for all land disturbances of one or more acres. These regulations also require a permit for less than one acre lots if the lot is part of a common plan of development or sale where that plan is at least one acre in size. If the permittee sells less than one acre of the permitted site to an entity for, commercial, industrial, or residential use, (unless sold to an individual for the purpose of building his/her own private residence and in accordance with G.3 of this section) this land remains a part of the common sale and regulated by this permit. Therefore, the permittee is still responsible for erosion control on the sold property until termination of the permit.
2. If the permittee sells one or more acres of the permitted site to an entity, the new owner of the property must obtain a land disturbance permit for the purchased property. The original permittee must amend the SWPPP to show that the property (one acre or more) has been sold and therefore no longer under the original permit jurisdiction.
3. If the permittee has stabilized the less than one acre lot which is part of a larger common plan of development and the lot is sold to an individual for purposes of building his/her own private residence, the permittee is no longer responsible for erosion control on the lot.
4. Property of any size which is part of a larger common plan of development where the property has been stabilized and the original permit terminated will require application of a new land disturbance permit for any future land disturbance activity.
5. If the entire tract is sold to a single entity, then this permit shall be terminated when the new owner obtains a new land disturbance permit for the site.

## H. TERMINATION

This permit may be terminated when the project is stabilized. The project is considered to be stabilized when perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas that have been disturbed. With respect to areas that have been vegetated, vegetation cover shall be at least 70% plant density over 100% of the site. In order to terminate the permit, the permittee shall notify the Department.

The Cover Page (Certificate Page) of the Master General Permit for Land Disturbance specifies the "effective date" and the "expiration date" of the Master General Permit. The "issued date" along with the "expiration date" will appear on the State Operating Permit issued to the applicant. This permit does not continue administratively beyond the expiration date.

If the project or development completion date will be after the expiration date of this general permit, then the permittee must reapply to the Department for a new permit. The applicant must file a request to the Department for a new permit 180 days prior to the expiration of this permit.

If the permittee has not terminated the permit and the permit expires, and the permittee has not applied for a new permit the permittee will be considered "operating without a permit" if the site does not meet the requirements for termination.



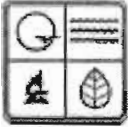
## I. MODIFICATION, REVOCATION, AND REOPENING

1. The U.S. Environmental Protection Agency (EPA) has proposed stormwater requirements that may direct the State to reopen this permit. The EPA is proposing to change its construction general permit (CGP) with more prescriptive requirements and design standards for buffers to prevent stormwater runoff, increased monitoring requirements and more frequent inspections. While the EPA permit is only effective in areas where EPA has permitting authority these requirements are likely to act as a template, setting a baseline for the EPA approval of state plans for permitting sites.
2. If at any time the Department determines that the quality of waters of the state may be better protected by reopening this permit, or revoking this permit and requiring the owner/operator of the permitted site to apply for a site-specific permit, the Department may revoke a general permit and require any person to obtain such an operating permit as authorized by 10 CSR 20-6.010(13) and 10 CSR 20-6.200(1)(B).
3. If this permit is reopened, modified or revoked pursuant to this Section, the permittee retains all rights under Chapter 536 and 644 Revised Statutes of Missouri upon the Department's reissuance of the permit as well as all other forms of administrative, judicial, and equitable relief available under law.

## J. DUTY TO COMPLY

The permittee must comply with all conditions of this general permit. Any noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.





STANDARD CONDITIONS FOR NPDES PERMITS  
ISSUED BY  
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION

Revised

October 1, 1980

**PART I - GENERAL CONDITIONS**

**SECTION A - MONITORING AND REPORTING**

1. **Representative Sampling**
  - a. Samples and measurements taken as required herein shall be representative of the nature and volume, respectively, of the monitored discharge. All samples shall be taken at the outfall(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.
  - b. Monitoring results shall be recorded and reported on forms provided by the Department, postmarked no later than the 28th day of the month following the completed reporting period. Signed copies of these, and all other reports required herein, shall be submitted to the respective Department Regional Office, the Regional Office address is indicated in the cover letter transmitting the permit.
2. **Schedule of Compliance**

No later than fourteen (14) calendar days following each date identified in the "Schedule of Compliance", the permittee shall submit to the respective Department Regional Office as required therein, either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements, or if there are no more scheduled requirements, when such noncompliance will be corrected. The Regional Office address is indicated in the cover letter transmitting the permit.
3. **Definitions**

Definitions as set forth in the Missouri Clean Water Law and Missouri Clean Water Commission Definition Regulation 10 CSR 20-2.010 shall apply to terms used herein.
4. **Test Procedures**

Test procedures for the analysis of pollutant shall be in accordance with the Missouri Clean Water Commission Effluent Regulation 10 CSR 20-7015.
5. **Recording of Results**
  - a. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
    - (i) the date, exact place, and time of sampling or measurements;
    - (ii) the individual(s) who performed the sampling or measurements;
    - (iii) the date(s) analyses were performed;
    - (iv) the individual(s) who performed the analyses;
    - (v) the analytical techniques or methods used; and
    - (vi) the results of such analyses.
  - b. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or both.
  - c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
6. **Additional Monitoring by Permittee**

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monitoring Report Form. Such increased frequency shall also be indicated.

7. **Records Retention**

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

**SECTION B - MANAGEMENT REQUIREMENTS**

1. **Change in Discharge**
  - a. All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant not authorized by this permit or any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.
  - b. Any facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants shall be reported by submission of a new NPDES application at least sixty (60) days before each such change, or, if they will not violate the effluent limitations specified in the permit, by notice to the Department at least thirty (30) days before such changes.
2. **Noncompliance Notification**
  - a. If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Department with the following information, in writing within five (5) days of becoming aware of such conditions:
    - (i) a description of the discharge and cause of noncompliance, and
    - (ii) the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.
  - b. Twenty-four hour reporting. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally with 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided with five (5) days of the time the permittee becomes aware of the circumstances. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
3. **Facilities Operation**

Permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions. Operators or supervisors of operations at publicly owned or publicly regulated wastewater treatment facilities shall be certified in accordance with 10 CSR 209.020(2) and any other applicable law or regulation. Operators of other wastewater treatment facilities, water contaminant source or point sources, shall, upon request by the Department, demonstrate that wastewater treatment equipment and facilities are effectively operated and maintained by competent personnel.
4. **Adverse Impact**

The permittee shall take all necessary steps to minimize any adverse impact to waters of the state resulting from noncompliance with any effluent limitations specified in this permit or set forth in the Missouri Clean Water Law and Regulations (hereinafter the Law and Regulations), including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.



5. **Bypassing**
  - a. Any bypass or shut down of a wastewater treatment facility and tributary sewer system or any part of such a facility and sewer system that results in a violation of permit limits or conditions is prohibited except:
    - (i) where unavoidable to prevent loss of life, personal injury, or severe property damages; and
    - (ii) where unavoidable excessive storm drainage or runoff would catastrophically damage any facilities or processes necessary for compliance with the effluent limitations and conditions of this permit;
    - (iii) where maintenance is necessary to ensure efficient operation and alternative measures have been taken to maintain effluent quality during the period of maintenance.
  - b. The permittee shall notify the Department in writing of all bypasses or shut down that result in a violation of permit limits or conditions. This section does not excuse any person from liability, unless such relief is otherwise provided by the statute.
6. **Removed Substances**

Solids, sludges, filter backwash, or any other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutants from entering waters of the state unless permitted by the Law, and a permanent record of the date and time, volume and methods of removal and disposal of such substances shall be maintained by the permittee.
7. **Power Failures**

In order to maintain compliance with the effluent limitations and other provisions of this permit, the permittee shall either:

  - a. in accordance with the "Schedule of Compliance", provide an alternative power source sufficient to operate the wastewater control facilities; or,
  - b. if such alternative power source is not in existence, and no date for its implementation appears in the Compliance Schedule, halt or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.
8. **Right of Entry**

For the purpose of inspecting, monitoring, or sampling the point source, water contaminant source, or wastewater treatment facility for compliance with the Clean Water Law and these regulations, authorized representatives of the Department, shall be allowed by the permittee, upon presentation of credentials and at reasonable times:

  - a. to enter upon permittee's premises in which a point source, water contaminant source, or wastewater treatment facility is located or in which any records are required to be kept under terms and conditions of the permit;
  - b. to have access to, or copy, any records required to be kept under terms and conditions of the permit;
  - c. to inspect any monitoring equipment or method required in the permit;
  - d. to inspect any collection, treatment, or discharge facility covered under the permit; and
  - e. to sample any wastewater at any point in the collection system or treatment process.
9. **Permits Transferable**
  - a. Subject to Section (3) of 10 CSR 20-6.010 an operating permit may be transferred upon submission to the Department of an application to transfer signed by a new owner. Until such time as the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
  - b. The Department, within thirty (30) days of receipt of the application shall notify the new permittee of its intent to revoke and reissue or transfer the permit.
10. **Availability of Reports**

Except for data determined to be confidential under Section 308 of the Act, and the Law and Missouri Clean Water Commission Regulation for Public Participation, Hearings and Notice to Governmental Agencies 10 CSR 20-6.020, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by statute, effluent data shall not be considered confidential. Knowingly making any false statement on any such report shall be subject to the imposition of criminal penalties as provided in Section 204.076 of the Law.
11. **Permit Modification**
  - a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
    - (i) violation of any terms or conditions of this permit or the Law;
    - (ii) having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
    - (iii) a change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge, or
    - (iv) any reason set forth in the Law and Regulations.
  - b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
12. **Permit Modification - Less Stringent Requirements**

If any permit provisions are based on legal requirements which are lessened or removed, and should no other basis exist for such permit provisions, the permit shall be modified after notice and opportunity for a hearing.
13. **Civil and Criminal Liability**

Except as authorized by statute and provided in permit conditions on "Bypassing" (Standard Condition B-5) and "Power Failures" (Standard Condition B-7) nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.
14. **Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act, and the Law and Regulations. Oil and hazardous materials discharges must be reported in compliance with the requirements of the Federal Clean Water Act.
15. **State Laws**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state statute or regulations.
16. **Property Rights**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of or violation of federal, state or local laws or regulations.
17. **Duty to Reapply**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit 180 days prior to expiration of this permit.
18. **Toxic Pollutants**

If a toxic effluent standard, prohibition, or schedule of compliance is established, under Section 307(a) of the Federal Clean Water Act for a toxic pollutant in the discharge of permittee's facility and such standard is more stringent than the limitations in the permit, then the more stringent standard, prohibition, or schedule shall be incorporated into the permit as one of its conditions, upon notice to the permittee.
19. **Signatory Requirement**

All reports, or information submitted to the Director shall be signed (see 40 CFR-122.6).
20. **Rights Not Affected**

Nothing in this permit shall affect the permittee's right to appeal or seek a variance from applicable laws or regulations as allowed by law.
21. **Severability**

The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.





Missouri  
Department of  
Natural Resources

STORMWATER DISCHARGES  
FROM THIS LAND  
DISTURBANCE SITE ARE  
AUTHORIZED BY THE MISSOURI  
STATE OPERATING PERMIT  
NUMBER:

**MORA00246**

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ANYONE WITH QUESTIONS OR  
CONCERNS ABOUT  
STORMWATER DISCHARGES  
FROM THIS SITE, PLEASE  
CONTACT THE MISSOURI  
DEPARTMENT OF NATURAL  
RESOURCES AT

**1-800-361-4827**



State of Missouri  
Missouri Department of Natural Resources

FACT SHEET

MORA00246 LAND DISTURBANCE GENERAL PERMIT  
2012 Reissue

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of stormwater from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (MSOPs) are issued by the Director of the Missouri Department of Natural Resources (Department) under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended). MSOPs are issued for a period of five (5) years unless otherwise specified.

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a Factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (operating permit) listed below.

A Factsheet is not an enforceable part of an operating permit.

This Factsheet is for a Major ☐, Minor ☐, Industrial Facility ☐; Variance ☐; Master General Permit ☒; General Permit Covered Facility ☐; and/or permit with widespread public interest ☐.

**PART I. NPDES Stormwater General Permit**

The vast majority of discharges associated with construction activity are covered under NPDES general permits. General permits cover a group of similar dischargers under one permit. General permits simplify the process for dischargers to obtain authorization to discharge, provide permit requirements for any discharger that applies for coverage, and reduce the administrative workload for NPDES permitting authorities.

This General Permit is for regulating stormwater discharge at land disturbance construction sites in Missouri. This program requires the owner or operator of a construction site disturbing land of one acre or greater, or less than one acre but part of a larger common plan of development, to obtain this permit prior to conducting any land disturbance activity.



## **PART II. The Need for Stormwater Regulations at Construction Sites**

Stormwater runoff is a major source of urban water pollution endangering humans by polluting the water resources used for drinking, household purposes, recreation and fishing. Stormwater discharges often contain pollutants in amounts that could reduce water quality. The primary pollutants of concern from construction activities are silt and sediment, but other pollutants such as oils and grease, vehicle fluids, and debris are present as well.

Stormwater runoff from construction activities can have a significant impact on water quality. As stormwater flows over a construction site, it can pick up pollutants like sediment, debris, and chemicals and transport these to a nearby storm sewer system or directly to a river, lake, or coastal water. Polluted stormwater runoff can harm or kill fish and other wildlife. Sedimentation can destroy aquatic habitat, and high volumes of runoff can cause stream bank erosion. Debris can clog waterways and potentially reach the ocean where it can kill marine wildlife and impact habitat.

Construction activities increase pollutant loads in runoff. The volume and rate of runoff are typically increased, providing a larger capacity to transport pollutants to rivers and lakes. In addition, the removal of vegetation leaves bare soil which is much more vulnerable to erosion, resulting in sediment moving into receiving waters.

Additional stormwater information and requirements including application for a land disturbance permit can be found at <http://dnr.mo.gov/env/wpp/stormwater/sw-land-disturb-permits.htm>.

## **PART III. Key Components of this Permit**

The key components of this permit are effluent limitations that require the permittee to minimize discharge of pollutants in stormwater by using control measures that reflect best engineering practices based on federal and state government best professional judgment. Dischargers must minimize their discharge of pollutants in stormwater using appropriate erosion and sediment controls and control measures for other pollutants such as litter, construction debris, and construction chemicals that could be exposed to stormwater and other wastewater. This general permit requires dischargers to develop a stormwater pollution prevention plan (SWPPP) to document the steps they will take to comply with the terms, conditions and effluent limitations of the permit. Note that the SWPPP is not an effluent limitation, nor does it include effluent limitations. Information including examples of a SWPPP can be found at the following <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm#model>. These examples should be used for educational or training purposes only. Construction site SWPPPs must be developed following the requirements of Missouri's land disturbance permit and describe the specific conditions of the site and plans for development.



## PART IV. Additional Information for the Purpose of Permit Clarity

### Applicability

- **“Industrial stormwater run-off”** are activities that take place at industrial facilities, such as material handling and storage, that are often exposed to the weather. As runoff from rain or snowmelt comes into contact with these activities, it can pick up pollutants and transport them to a nearby storm sewer system or directly to a river, lake, or coastal water. To minimize the impact of stormwater discharges from industrial facilities, the NPDES program includes an industrial stormwater permitting component that covers 10 categories of industrial activity that require authorization under an NPDES industrial stormwater permit for stormwater discharges. More information on industrial permit requirements can be found at <http://dnr.mo.gov/env/wpp/stormwater/sw-industrial-permits.htm>.
- A **“larger common plan of development or sale”** is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan. For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, this activity still would be subject to stormwater permitting requirements if the smaller plots were included on the original site plan. Other than the less than one acre property sold to the individual for construction of their personal residence, property of any size which is part of a larger common plan of development where the property has been stabilized and the original permit terminated will require application of a new land disturbance permit for any future land disturbance activity. The larger common plan of development or sale also applies to other types of land development such as industrial parks or well fields. A permit is required if one or more acres of land will be disturbed, regardless of the size of any of the individually-owned or developed sites.
- Documentation of Permit Eligibility Related to **Endangered Species**: The SWPPP must include documentation supporting a determination of permit eligibility with regard to Endangered Species.

For more information please visit the following links:

For information on understand what critical habitat is, please go to the following link, [www.fs.fed.us/r9/wildlife/tes/docs/esa\\_references/critical\\_habitat.pdf](http://www.fs.fed.us/r9/wildlife/tes/docs/esa_references/critical_habitat.pdf).

For information on listed species by State & County, please go to the following link, <http://cfpub.epa.gov/npdes/stormwater/esa.cfm>.



The Missouri Department of Conservation's internet site for the Natural Heritage Review may be very helpful and can be found at the following link, <http://mdcgis.mdc.mo.gov/heritage/newheritage/heritage.htm>. Also helpful are the local offices of the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS), these centers often maintain lists of federally listed endangered or threatened species on their internet sites.

If there are listed species in the county or township, check to see if critical habitat has been designated and if that area overlaps or is near the project area. Critical habitat designations and associated requirements may also be found at 50 CFR Parts 17 and 226. For additional information, use the mapview tool at <http://criticalhabitat.fws.gov/crithab/> to find data specific to your state and county.

- A Clean Water Act **Section 404 Department of the Army Permit** and the Department's Clean Water Act Section 401 Water Quality Certification (certification) are needed when placing material or fill into jurisdictional waters of the United States. Any impacts to jurisdictional streams or wetlands would require an application to be sent to the appropriate US Army Corps of Engineers District Regulatory Branch. A map of the district offices and contact information can be located online at: <http://www.dnr.mo.gov/env/wpp/401/corps-map3.gif>). Not all land disturbance projects will require a 404 permit; however, if a 404 permit is required, land disturbance activities are not to be conducted in the jurisdictional area of the project until the 404 permit has been obtained. A discussion on the need for a 404/401 permit as a requirement of this permit and is to be included in the SWPPP.

#### Exemptions from Permit Requirements

- The USEPA defines **linear projects** to include the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area. Missouri regulation 10 CSR 20-6.200 (1)(B) 8 exempts linear project construction from stormwater permit regulations which meet one of the following: A. Grading of existing dirt or gravel roads which does not increase the runoff coefficient and the addition of an impermeable surface over an existing dirt or gravel road; B. Cleaning or routine maintenance of roadside ditches, sewers, waterlines, pipelines, utility lines or similar facilities; C. Trenches two (2) feet in width or less; or D. Emergency repair or replacement of existing facilities as long as best management practices are employed during the emergency repair.



## Permit Requirements

- The permittee is required to conduct inspections of the site. The person(s) inspecting the site may be a staff person or a hired third party to conduct such inspections. The permittee is responsible for ensuring that the person who conducts inspections is a “qualified person or personnel.” A “**qualified person**” is a person knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any stormwater controls selected to control the quality of stormwater discharges from the construction activity.
- A sample **inspection report** has been developed as a helpful tool to aid in completing site inspections. This sample inspection report was created consistent with USEPA’s Developing Your Stormwater Pollution Prevention Plan and can be found at [http://www.epa.gov/npdes/pubs/sw\\_swppp\\_inspection\\_form.doc](http://www.epa.gov/npdes/pubs/sw_swppp_inspection_form.doc). Both the guide and the sample inspection report (formatted in Microsoft Word) can be found at <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.
- For common drainage locations that serve an area with 10 or more acres disturbed at one time, a temporary (or permanent) **sediment basin** that provides storage for a calculated volume of runoff from the drainage area from a 2-year, 24-hour storm, or equivalent control measures, must be provided where attainable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, must be provided where attainable until final stabilization of the site. When computing the number of acres draining into a common location, it is not necessary to include flows from offsite areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is attainable, the operator may consider factors such as site soils, slope, available area on-site, etc. In any event, the operator must consider public safety, especially as it relates to children, as a design factor for the sediment basin, and alternative sediment controls must be used where site limitations would preclude a safe design.
- Public Notification: A public notification sign has been added to the permit. If a different sign is to be used it should be one of the same size sign and lettering and containing the same information as that of the one supplied with the permit. The required information includes a statement for those with questions or concerns, the permit number and the Department’s toll free phone number. The permittee shall post a copy of the public notification sign described by the Department at the main entrance to the site. An alternate location is acceptable provided the public can see it and it is noted in the SWPPP. The public notification sign must remain posted at the site until the permit has been terminated.



### Other Discharges

- Machinery should be kept out of the waterway as much as possible. Fuel, oil and other petroleum products, equipment and any solid waste should not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions are to be taken to avoid the release of wastes or fuel as a result of this operation. Petroleum products spilled should be immediately cleaned up and disposed of properly. Any such **spills of petroleum or other chemicals** are to be reported as soon as possible to the Department's 24-hour Environmental Emergency Response number at (573) 634-2436.

### Sampling Requirements and Other Effluent Limitations

- 40 CFR 450.21 Subpart B - Construction and Development (C&D) Effluent Guidelines are **non-numeric effluent limits** and are structured to require construction operators to first prevent the discharge of sediment and other pollutants through the use of effective planning and erosion control measures; and second, to control discharges that do occur through the use of effective sediment control measures. Permittees are also required to implement a range of pollution prevention measures to limit or prevent discharges of pollutants including those from dry weather discharges. The C&D rule's non-numeric effluent limits are available at the following internet site: <http://www.gpo.gov/fdsys/pkg/CFR-2010-title40-vol29/xml/CFR-2010-title40-vol29-sec450-21.xml>. The associated fact sheet can be found at: [http://www.epa.gov/npdespub/pubs/cgp\\_proposedfs.pdf](http://www.epa.gov/npdespub/pubs/cgp_proposedfs.pdf).
- The USEPA has proposed numeric **effluent limitation guidelines** (ELGs) to control the discharge of pollutants from construction sites of a certain size. The Department may modify this permit upon finalization of the USEPA effluent limitation guidelines. The proposed Effluent limitation guidelines can be view at the following website <http://water.epa.gov/scitech/wastetech/guide/construction/>.



### Land Purchase and Change of Ownership

- A person having **operational control over only a portion of a larger project** (e.g., one of four homebuilders in a subdivision), is responsible for compliance with all applicable effluent limits, terms, and conditions of the permit as it relates to the activities on that portion of the construction site, including protection of endangered species, critical habitat, and historic properties, and implementation of control measures described in the SWPPP. This person must ensure either directly or through coordination with other permittees, that these activities do not render another party's pollutant discharge controls ineffective. This person must either implement their own portion of a common SWPPP or develop and implement their own SWPPP. For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site to prepare and participate in a comprehensive SWPPP is encouraged. Individual operators at a site may, but are not required to, develop separate SWPPPs that cover only their portion of the project provided referenced is made to other operators at the site. In instances where there is more than one SWPPP for a site, cooperation between the permittees is encouraged to ensure stormwater discharge control measures are consistent with one another (e.g., provisions to protect listed species and critical habitat).
- The Department does not allow the transfer of a land disturbance permit from one owner to another; however, to facilitate the change in the ownership status of a property the Department developed the "Application for Change of Ownership" form. This form will allow the new owner to receive a new permit and number. The form may also be used to terminate the original permit if all the property included in the original permit is no longer the responsibility of the original owner. The "Application for Change of Ownership" (form MO780-2051) can be found online at <http://www.dnr.mo.gov/forms/#StormWater>.

### Termination

- To begin the process of terminating this permit, the permittee should submit Form H – "Request for Termination" (MO780-1409) to the Department. The form can be found at the following web location: <http://www.dnr.mo.gov/forms/#StormWater>.



## **PART V. Addendums to Fact Sheet**

### **Addendum #1**

#### **Individual Lot Certification**

This form is not a requirement of the permit, but may be used by the permittee when selling individual lots that are part of the property that has been authorized by a Missouri Water Pollution Control General Permit under the NPDES for stormwater discharged associated with construction activity. This is a certification between the purchaser and the seller to cooperatively implement the SWPPP and the conditions of the NPDES permit and does not constitute a transfer of the permit. The permittee shall maintain this form on-site, or in a readily available location. The permittee shall provide individual lot certification forms or a copy of the contract for land sale having the equivalent wording to the Missouri Department of Natural Resources.

### **Addendum #2**

#### **Response to Comments**

The public comment period for this permit expired on October 30, 2011. Addendum #2 contains the Missouri Department of Natural Resources' response to comments received during the public comment period.



ADDENDUM #1  
INDIVIDUAL LOT CERTIFICATION

For Storm Water Discharges Associated with Construction Activity Authorized by a Missouri Water Pollution Control General Permit under the National Pollutant Discharge Elimination System

**TO BE COMPLETED BY THE NEW LOT OWNER**

I certify, under penalty of law, that I have received a copy of the general NPDES permit referenced below, which authorized the original lot owner or developer to discharge storm water runoff from construction activities, and the Storm Water Pollution Prevention Plan (SWPPP) prepared by the original lot owner or developer. I have reviewed the terms and conditions of the general permit and the SWPPP. I accept responsibility for erosion and sediment control during construction of the home or building for each of the lot(s) listed below. In the event the Missouri Department of Natural Resources notifies the undersigned of water quality violations due to conditions at any lot listed below and I am unable or unwilling to take action within 30 days to further reduce erosion or control sediment, then I agree to allow the original lot owner or developer to have reasonable access to the site to implement erosion and sediment control measures. I understand this certification is an agreement between the purchaser and seller to cooperatively implement the SWPPP and the conditions of the general NPDES permit.

Facility Name: \_\_\_\_\_  
(as listed on permit)

Permit Number: MOR \_\_\_\_\_

Lot Number(s): \_\_\_\_\_

New Owner's Signature: \_\_\_\_\_

Name (typed or printed): \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Complete Only if New Owner is a Corporation and not an Individual:**

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

Company Phone #: \_\_\_\_\_

**TO BE COMPLETED BY THE PERMIT HOLDER**

As permittee for the overall tract wherein the above listed lot(s) are located, I certify that I have provided the above named lot purchaser with a copy of the general NPDES permit and the Storm Water Pollution Prevention Plan (SWPPP) for the project, and I have informed the lot purchaser of their responsibility to minimize erosion and control sedimentation. I understand this certification does not constitute a transfer of the permit and understand this certification is an agreement between the purchaser and seller to cooperatively implement the SWPPP and the conditions of the general NPDES permit.

Signature: \_\_\_\_\_

Name (typed or printed): \_\_\_\_\_

Phone Number: \_\_\_\_\_

**The permittee shall maintain this form on-site, or in a readily available location. The permittee shall provide individual lot certifications forms or a copy of the contract for land sale having the equivalent wording to the Missouri Department of Natural Resources upon request.**



## ADDENDUM #2

### MORA00000 Land Disturbance Permit Response to Public Notice Comments

(The Missouri Department of Natural Resources' public notice comment period for this permit expired on October 30, 2011.)

### **GENERAL COMMENT RESPONSES**

#### LAND DISTURBANCE PERMIT MOR100

The Department received certain comments specifically related to the MOR100 permit (the area-wide permit for state, federal, local government, etc.). These comments may be considered in the development of that permit. The MOR100 permit expires March 2012. There has been no change to the permit as a result of these comments.

#### FEDERAL REGULATION 40 CFR 450.21

As the NPDES authorized permitting authority, the Department is required to incorporate into the permit the federal regulation 40 CFR 450.21. These are non-numeric effluent limitations reflecting the best practicable technology currently available (BPT). Some limitations come with the words "unless infeasible." The Department received several questions on who determines what is or isn't feasible. The owner or operator is to make the determination for a specific project site if a requirement is infeasible and document in the SWPP as to why it is infeasible. There has been no change to the permit as a result of this comment.

#### EPERMITTING and FEES

The Department received a few comments regarding electronic permitting (epermitting) and permit fees. These comments have been relayed to the respective workgroups. The first phase of epermitting is expected to be completed mid-year 2012 and will include the issuance of new land disturbance permits. At this time, all renewals will be processed without epermitting. More information regarding electronic permitting will be placed on the Department's webpage in the very near future. There has been no change to the permit as a result of these comments.

#### TYPOS/RENUMBERING/DEFINITIONS

The Department received comments regarding typos, renumbering and similar items in the proposed permit. These entries have been corrected in the final permit.

The Department received comments suggesting definition and clarification to several areas of the proposed permit. All suggestions were considered and many have been added to the permit Fact Sheet.



## SPECIFIC COMMENT RESPONSES

### SECTION A. APPLICABILITY

#### OWNER/OPERATOR

Section A.1. - The Department received comments regarding the owner/operator statement asking for clarification of primary responsibility for compliance with the permit and to expand the responsibility to include the holder of an easement on the property as an alternative to the property owner. If there are enforcement actions the Department has the authority to involve all parties as necessary and to the extent possible. The Department has revised the applicability language to include easement in lieu of property owners where appropriate.

The Department received a comment requesting there be a differentiating permit between land development and vertical house construction. With exception to lots that are part of a larger common plan of development or sale, this permit is required for land disturbances for any reason based on the size (the acreage) of the disturbance. There has been no change to the permit as a result of this comment.

The Department received comments requesting the inclusion of other areas (borrow pits) which are outside the permitted area as well as an allowance for a specific activity (portable concrete and asphalt plants) to be listed in the permit. The Department believes that the permitted areas should be sufficiently stated in the application and the SWPPP to include all areas where land disturbance activities are planned to take place. There has been no change to the permit as a result of these comments.

#### DISCHARGES

Section A.2. - The Department received a comment asking to identify non-stormwater discharges. For the purposes of this rule, non-stormwater discharges are identified in this section of the permit. There has been no change to the permit as a result of this comment.

Section A.2. - The Department received comments requesting we add "flushing fire hydrants and potable water lines" back to the list of authorized non-stormwater discharges. Current regulation (10CSR 20.6.010 (1) (B)7) exempts these discharges from all general permitting. However, the Department has added these items back to the permit.

Section A.4. - The Department has clarified, in the permit Fact Sheet, what is meant by "industrial stormwater runoff".



## OTHER FEDERAL REGULATION

Section A.8. - A Clean Water Act Section 404 Department of the Army Permit and the Department's Clean Water Act Section 401 Water Quality Certification (certification) are needed when placing material or fill into jurisdictional waters of the United States. Any impacts to jurisdictional streams or wetlands would require an application to be sent to the appropriate US Army Corps of Engineers District Regulatory Branch. Contact information can be found at <http://www.dnr.mo.gov/env/wpp/401/corps-map3.gif>. Not all land disturbance projects will require a 404 permit; however, if a 404 permit is required then land disturbance activities are not to be conducted in the jurisdictional area of the project until the 404 permit has been obtained. Language in the permit has been reworded and additional information added to the permit Fact Sheet to help better clarify this concern.

Section A.9. - Compliance with the Historic Preservation Act and the Endangered Species Act is not a requirement to obtain a land disturbance permit. However, NPDES permittees must be in compliance with these federal regulations. The Department has added a statement to the permit Fact Sheet, that this permit does not supersede compliance with other federal requirements.

Section A.10. - The Department added language to the permit that the permit does not superseded any local authority requirement to obtain approval for a land disturbance project.

## SECTION B. EXEMPTIONS FROM PERMIT REQUIREMENTS

Section B.2. - The Department received a comment requesting that we list the general permit exemptions outlined in the cited regulations. Missouri State Regulations 10CSR 20-6.200 (1) (B) and 10 CSR 20.6.010 (1) (B) outline exemptions from NPDES stormwater permits and all NPDES general permits, respectively. There has been no change to the permit as a result of this comment.

Section B.3. - The Department received comments requesting we include the words "maintenance operations" in this sentence. The permit language has been updated with this inclusion. A discussion on linear, strip, and ribbon construction and maintenance exemptions can be found in the permit Fact Sheet.

Section B.5. - The Department received a comment recommending the inclusion of CAFOs in the Agriculture Exemption. To better define the requirement of a permit for agricultural activities, the Department removed the second sentence from the permit and added language to the permit Fact Sheet to define activities which are required to obtain a permit.



## SECTION C. REQUIREMENTS

Section C.1. a-g. – This section of the permit outlines verbatim the federal requirements of 40 CFR 450.21 effluent limitations reflecting the best practicable technology currently available (BPT). These are non-numeric effluent limits which the NPDES permitting authority must include in the permit. The Department received several comments regarding this section of the permit; it was recommended that we remove this section of the permit, it was recommended that we delete some of the wording, and there were comments which questioned the practicality of some items. When the Department does not have design guidelines for federal requirements, it is left to the discretion of the stormwater professional as to the proper design protocol. There were no changes to the permit as a result of these comments.

Section C.2.e. – The Department received comments regarding the need to comply with 404/401 permitting versus the requirement to comply in order to obtain a stormwater permit and identifying this in the SWPPP. The Department has added language to the permit Fact Sheet which describes the SWPPP requirement regarding 404/401 permitting is only to verify that the need for a 404/401 permit was addressed. For additional discussion on the 404/401 requirement, please refer to the Department's response to Section A.8. of this document.

## SELECTION OF TEMPORARY AND PERMANENT NON-STRUCTURAL BMPS

Section C.3.e. – The Department received several comments regarding this section of the permit. The requirement of a buffer is part of federal regulation 40 CFR 450.21. This is the federal requirement which covers the non-numeric effluent limits which the permitting authority must include in the permit.

The regulation states, "The permittee is to provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible.." The permit requires a 25-foot buffer at minimum. The Department has added language to the permit which will allow for a more stringent local government buffer requirement.

For additional related discussion please refer to the earlier section of this document titled "General Comment Responses"

## DISTURBED AREAS

Section C.3.h. - The Department received several comments regarding this section of the permit. Stabilization is addressed in federal regulation 40 CFR 450.21. This is the federal requirement which covers the non-numeric effluent limits which the permitting authority must include in the permit. The regulation states - "Stabilization of disturbed areas must, at minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site



and will not resume for a period exceeding 14 calendar days. Stabilization must be completed within a period of time determined by the permitting authority.” The Department has included the exact federal language into the permit and has designated a period of 7 days to complete stabilization activities. Temporary (interim) stabilization clarification: Stabilization is to begin as soon as the operator knows an area will need interim stabilization. The Department has also included, in the permit, allowances for weather and equipment malfunctions. For additional related discussion please refer to the earlier section of this document titled “General Comment Responses”

## BMP INSTALLATION

Section C.3.i. – The Department received one comment regarding the installation of BMPs and another comment recommending the words “not to exceed 24 hours” be added after the word “immediately”. The permit will continue to allow for certain BMP installations to occur after initial site clearing to establish entry, exit and access and to require that stormwater controls be installed immediately after the earth disturbance. There were no changes to the permit as a result of this comment.

## SEDIMENT BASINS

Section C.3.j. – The Department received two comments regarding the removal of sediments from sediment basins. The Department additionally received suggested wording when the use of sediment basin is impracticable. The Department has made changes to the permit to address these comments. The Department also received a comment regarding the feasibility of the use of outlet structures that withdraw water from the surface. Withdrawing water from the surface is a requirement of federal regulation 40 CFR 450.21. This is the federal requirement which covers the non-numeric effluent limits which the permitting authority must include in the permit. For additional related discussion please refer to the earlier section of this document titled “General Comment Responses”.

## ROADWAYS

Section C.3.m. – The Department received several similar comments on this section of the permit and has responded with rewording the second sentence of this paragraph. The new sentence reads, “Stormwater inlets susceptible to receiving sediment from the permitted land disturbance site shall have curb inlet protection.” In addition, the Department has reworded the last sentence of this paragraph. The new sentence reads; “Where practicable, construction entrance BMP controls shall be used to prevent sediment track-out”.

Section C.6. - This section has to do with the individual designated by the permittee as responsible for environmental matters. This section has been moved so that it precedes Section C.9. Site Inspection Reports.



## AMENDING AND UPDATING THE SWPPP

Section C.8.e. - The proposed permit states, "SWPPP is determined to be ineffective in preventing or controlling erosion and sedimentation (e.g., there is visual evidence of excessive site erosion or excessive sediment deposits in streams or lakes). The Department received two comments recommending a change to this sentence. The Department has replaced the word "preventing" with the word "minimizing" in the final permit.

Section C.8.g. - The Department changed this line to read "Exceedances of effluent limitations for new source performance standards for construction activities in accordance with 40 CFR Part 450.21." This is the federal requirement which covers the non-numeric effluent limits which the permitting authority must include in the permit. For additional related discussion please refer to the earlier section of this document titled "General Comment Responses".

## INSPECTION REPORTS

Section C.9. - The Department received several comments regarding site inspection reports. The Department has made changes to this section of the permit to address most of the comments received. The Department added the words "When practicable" to the middle sentence of the first paragraph so that it reads, "When practicable the receiving stream shall also be inspected for 50 feet downstream of the outfall." The Department has made changes to the last sentence of the first paragraph so that it now reads, "If rainfall causes stormwater runoff to occur on-site, the BMPs must be inspected within a reasonable time period after the rainfall event has ceased. Inspections must occur within 48 hours during normal work days, plus an additional 24 hours for each non-workday for weekends and holidays."

## PUBLIC NOTIFICATION

Section C.12. - The Public Notification sign is included with the issued permit. The Department has added language to the permit Fact Sheet to describe what is acceptable should a different sign be posted. An alternate location is acceptable provided the public can see it and it is noted in the SWPPP.

## SECTION E. SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS

Section E.2. - The Department received several comments regarding the proposed effluent limitations. Commenters have requested that the settleable solid limit remain at 2.5 ml/L just as it was in the previous standard land disturbance permit. The permit has been revised to a settleable solid (SS) limit of 2.5 ml/L per Standard Methods 2540 F and includes a local 2-year 24-hour storm event. Runoff and peak discharge information can be found online at [ftp://ftp-fc.sc.egov.usda.gov/MO/eng/EFH/EFH\\_MO\\_Sup\\_Chap\\_02-1.pdf](ftp://ftp-fc.sc.egov.usda.gov/MO/eng/EFH/EFH_MO_Sup_Chap_02-1.pdf).



## SECTION G. LAND PURCHASE AND CHANGE OF OWNERSHIP

The Department received four comments related to this section of the permit. In addition to recommendations received from commenters, the Department has also looked at how other states address this area of their permit. To better clarify the Department's intent with regard to property belonging to "a larger common plan of development or sale" a new statement has been added to the permit. This statement as well as language in the permit Fact Sheet clarifies that any property which was once permitted as "a larger common plan of development or sale" will require and an application for a new permit for any future land disturbance on that property.

The Department received a request that there be a differentiating permit between land development and vertical house construction. The Department would need more discussion and justification to fully explore and respond to this request. There has been no change to the permit as a result of this comment.

## SECTION H. TERMINATION

The Department received a few comments regarding permit transfer and permit coverage continuance. The Department does not allow the transfer of a land disturbance permit from one owner to another; however, to facilitate the change in the ownership status of a property the Department developed the "Change of Ownership" form. This is an application that will allow the new owner to receive a new permit and number. The form may also be used to terminate the original permit if all the property included in the original permit is no longer the responsibility of the original owner. The "Change of Ownership" application form can be found online at <http://dnr.mo.gov/forms/index.html#WaterPollution>. This web location has been added to the permit Fact Sheet.

The Department received a comment regarding the administrative continuance of an issued permit. This permit does not continue administratively. The permit is not valid after the expiration date. A new permit would need to be issued for the site where work has not been completed and the property has not been stabilized in accordance with the termination requirements. Language has been added to the permit in order to better clarify this issue.



November 8, 2011

Missouri Department of Natural Resources  
Southeast Regional Office  
2155 North Westwood Blvd.  
Poplar Bluff, MO 63901



Subject: Storm Water Discharge Permit Renewal Applications for the Coastal Energy Rail Spur and 3M Holdings

To whom it may concern:

Attached are the Storm Water Discharge Permit Renewal Applications for the Coastal Energy Rail Spur (MO-R109FP2) and 3M Holdings (MO-R109W95).

Please call me at 573-445-3033 if you have any questions.

Sincerely,

Curtis Heider  
Heider Environmental Consulting

CH

Enclosure: Permit Applications

c: Mr. Jeff Cunningham, Coastal Energy Corporation







MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
**FORM E - APPLICATION FOR GENERAL PERMIT**  
UNDER MISSOURI CLEAN WATER LAW

**FOR AGENCY USE ONLY**

CHECK NUMBER

1887

DATE RECEIVED

11-17-11

FEE SUBMITTED

300<sup>00</sup>

1.00 CATEGORY OF GENERAL PERMIT APPLIED FOR

Land disturbance in designated areas (R109, which is being replaced by L500000)

1.10

- ☒ a. This facility is now in operation under Missouri Operating Permit Number, or NPDES, MO - R109FP2 and there is not a proposed increase in design flow.
- ☐ b. This facility is now in operation under Missouri Operating Permit Number MO - \_\_\_\_\_ and there is a proposed increase in design flow.
- ☐ c. This is a new permit.

If you checked either item b or c above then you may need to submit an antidegradation review. See instructions.

2.00 NAME OF FACILITY

Coastal Energy Rail Spur

2.10 ADDRESS (PHYSICAL)

Industrial Drive & Coastal Drive

CITY

Willow Springs

STATE

MO

ZIP CODE

65793

3.00 OWNER

NAME

Coastal Energy Corporation

E-MAIL ADDRESS

jeff@coastal-fmc.com

TELEPHONE NUMBER WITH AREA CODE (417) 469-2777

FAX NUMBER WITH AREA CODE (417) 469-4994

STREET

P.O. Box 218

CITY

Willow Springs

STATE

MO

ZIP CODE

65793

4.00 CONTINUING AUTHORITY

NAME

Coastal Energy Corporation

E-MAIL ADDRESS

jeff@coastal-fmc.com

TELEPHONE NUMBER WITH AREA CODE (417) 469-2777

FAX NUMBER WITH AREA CODE (417) 469-4994

STREET

P.O. Box 218

CITY

Willow Springs

STATE

MO

ZIP CODE

65793

5.00 OPERATOR

NAME

Coastal Energy Corporation

TELEPHONE NUMBER WITH AREA CODE

(417) 469-2777

6.00 FACILITY CONTACT

NAME

Jeff Cunningham

TELEPHONE NUMBER WITH AREA CODE (417) 469-2777

FAX NUMBER WITH AREA CODE (417) 469-4994

TITLE

Compliance Manager

7.00 FOR EACH OUTFALL GIVE THE LEGAL DESCRIPTION (ATTACH ADDITIONAL SHEETS AS NECESSARY)

Outfall Number 1 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec. 32 T 27N R 9W Howell County

Outfall Number \_\_\_\_\_  $\frac{1}{4}$   $\frac{1}{4}$  Sec. \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ County

Outfall Number \_\_\_\_\_  $\frac{1}{4}$   $\frac{1}{4}$  Sec. \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ County

7.10 FOR EACH OUTFALL LIST THE NAME OF THE RECEIVING WATER

Outfall Number 1 Receiving Water Eleven Point River

Outfall Number \_\_\_\_\_ Receiving Water \_\_\_\_\_

Outfall Number \_\_\_\_\_ Receiving Water \_\_\_\_\_

7.20 BRIEFLY DESCRIBE THE NATURE OF YOUR BUSINESS

Earthwork for construction of new rail spur and tank storage facilities

7.30 Does the discharge(s) for which you are seeking a permit discharge to a combined sewer system? ☐ Yes ☒ No

7.40 Primary SIC Code 5171

7.50 If this application is for a storm water permit, list any materials that are stored outside and exposed to storm water. None

7.60 Attach a USGS 1" = 2,000' scale map showing the location of the facility in relation to the local road system. Indicate on the map the facility, the receiving stream, the points of discharge and the map section, township and range.

7.70 If this is an existing discharge, submit a summary of pollutants analyzed in the past two years.

7.80 What is the method of domestic wastewater disposal? Public: City of Willow Springs

7.90 I certify that I am familiar with the information contained in the application and to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to applicant under the Missouri Clean Water Law of Missouri Clean Water Commission.

A. NAME AND OFFICIAL TITLE (TYPE OR PRINT)

David Montgomery, President

B. TELEPHONE NUMBER WITH AREA CODE

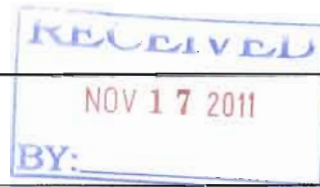
(417) 469-2777

C. SIGNATURE

X David Montgomery

D. DATE SIGNED

11-11-2011







MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
**FORM G – APPLICATION FOR STORM WATER PERMIT (FORM E MUST BE INCLUDED)  
UNDER THE GENERAL PERMIT: LAND DISTURBANCE**

**A map of the appropriate regional office is available on the department's Web site at [dnr.mo.gov/regions/regions.htm](http://dnr.mo.gov/regions/regions.htm).**

Name of development

Coastal Energy Railspur

Phase (Indicate Phase I, II, etc., if applicable.)

NA

Nature of construction activity

Excavation and embankment for construction of pad for new storage facilities and new rail spur.

Physical location of development (Address, if assigned.)

Industrial Drive & Coastal Drive

Date construction is to begin

03/01/2011

Total area of site: 9 acres

Total area of land to be disturbed: 9 acres

Is a department of Natural Resources approved erosion control plan operative in the city or the unincorporated area of the county in which the land disturbance is occurring?

☐ Yes ☒ No

If yes, a letter of approval or a copy of a permit from the local authority is required and must be enclosed for the permit to be issued.

☐ Please check this box if enclosed.

Has a Storm Water Pollution Prevention Plan, or SWPPP, been developed for this site?

(This plan must be developed in accordance with requirements and guidelines specified within the general permit for storm water discharges from land disturbance activities. The application will be considered incomplete if the Storm Water Pollution Prevention Plan has not been developed. Please do not enclose a copy of the plan. A copy of the Storm Water Pollution Prevention Plan may be requested by the department at any time.)

☒ Yes ☐ No

The department requests that a completed Storm Water Pollution Prevention Plan be submitted along with the application if:

☐ The receiving water is Lake of the Ozarks, or

☐ The first classified waterbody is Lake of the Ozarks.

Summarize the measures (Best Management Practices) from the Storm Water Pollution Prevention Plan that will be used to control pollutants in storm water discharges during constructions.

Silt fences and silt dikes (diversion berms) are being used to minimize sediment transport during construction. A temporary sediment basin may also be used.

Summarize Best Management Practices from the Storm Water Pollution Prevention Plan that will remain in place after construction operations have been completed.

Topsoiling, seeding, & mulching will be applied to the sites to establish vegetation and prevent sediment transport. Diversion berms will remain in place and double as secondary containment for asphalt storage tanks. A permanent ditch check composed of shot rack will be used for filtering silt.

Describe the nature of the fill material.

Reddish-brown clay with broken rock fragments.



**ATTACH ANY EXISTING DATA CONCERNING SOIL OR QUALITY OF THE DISCHARGE.**Estimate of runoff coefficient of site. 0.15Estimate of increase in impervious area. 50 %Estimate of runoff coefficient upon completion. 0.9

Is the land disturbance within 1,000 feet of:

☒ Water classified in 10 CSR 20-7.031 water quality standards as a public drinking water supply lake (L<sub>1</sub>), outstanding national or state resource waters, or streams designated for cold-water sport fishery.☐ Streams, lakes or reservoirs identified as critical habitat for endangered species as determined by Missouri Department of Conservation and U.S. Fish and Wildlife Service.Is the land disturbance within 100 feet of waters classified as major reservoirs (L<sub>2</sub>) or permanent flow streams (P), except the Missouri and Mississippi rivers, or within two stream miles upstream of biocriteria reference locations as defined in 10 CSR 20, Chapter 7?☐ Yes ☒ No

Is any part of the area that is being disturbed discharging to a jurisdictional water of the United States?

☐ Yes ☒ NoIf **yes**, have you received a CWA, Section 404 Permit for this site from the United States Army Corps of Engineers? (The permit cannot be issued until the site is under a 404 or Nationwide General Permit, if one is required.)☐ Yes ☐ No

Does the storm water runoff discharge to a sinkhole, losing stream, or any other topographical feature that would be a direct conduit to groundwater?

☒ Yes ☐ No

I certify I am familiar with the information contained in the application, that to the best of my knowledge and belief such information is true, complete and accurate, and if granted this permit, I agree to abide by the Missouri Clean Water Law and all rules, regulations, orders and decisions, subject to any legitimate appeal available to an applicant under the Missouri Clean Water Law of the Missouri Clean Water Commission.

Name and Official Title  
David Montgomery, PresidentTelephone number with area code  
417-469-2777

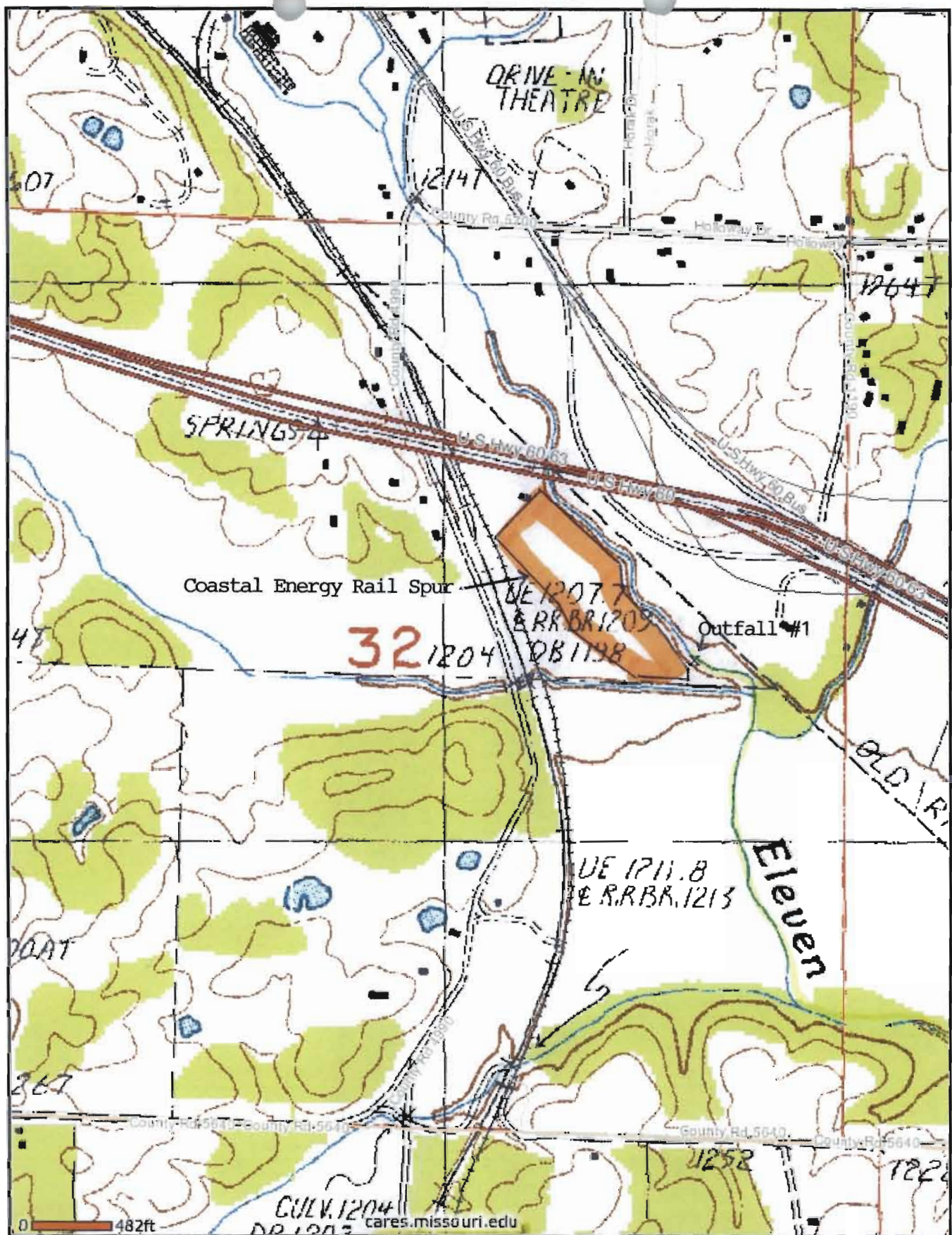
Signature

Date signed

11-11-2011

**Note:** This form must be submitted with the permit fee (\$300), map and Form E – Application for a General Permit (780-0795). The form is available on the department's Web site at [dnr.mo.gov/forms/780-0795.doc](http://dnr.mo.gov/forms/780-0795.doc) or [dnr.mo.gov/forms/780-0795.pdf](http://dnr.mo.gov/forms/780-0795.pdf).





S32,T27N,R9W



Missouri Department of  
Natural Resources

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## Permit Basic Information

Effective  
Permit ID: MOR109FP2Facility ID: 39198  
Facility: Coastal Energy Rail Spur  
Owner Name: Coastal Energy Corporation  
County: Howell  
Region: SERPermit Type: GPCF  
Non-NPDES Type:  
Construction Type:  
Initial Date: 12/06/2010MGP Version Number: 4.00  
GPCF Version Number: 4.00[Renew Permit](#)[Mod Permit from MGP](#)

\* Indicates a Required Field

+ Indicates field is required at time of issuance.

Permit		Date Information	
Over The Counter: <input type="checkbox"/>	Permit Name: Land Disturbance	+ Issue Date: 12/06/2010	
	MGP ID: MOR109000	+ Effective Date: 12/06/2010	
	MGP Effective Date: 03/08/2007	Expiration Date: 03/07/2012	
	MGP PDF	Termination Date:	
Basic Permit Comments:	Archive Ind/Box No: <input type="checkbox"/>	Termination Comments:	
Application ID: AP 3050	<a href="#">App Lookup</a>	<a href="#">Archive</a>	<a href="#">History</a>
		<a href="#">Terminate</a>	
Continuing Authority			
* Company/Person:	* Address:	Address (line2):	* City
Coastal Energy Corporation	1 Coastal Drive		WILLOW SPRINGS
			MO
			65793
			Authority Level:
Issuing Authority		Major/Minor Status	
* Name: SERO			
* Permit Writer: Jason Kirkman			
Codes		Compliance Tracking Status	
* Primary SIC: 1629		* Status: On <input checked="" type="radio"/> Off <input type="radio"/>	
Additional SIC Codes:		Start Date: 12/06/2010	
Primary NAICS:			
Additional NAICS Codes:			
Comments:			
Other Information			
Primary Waste Type: Storm Water	Population Equivalent Design:		
General Treatment Type: Storm Water			
Categorical Industrial: <input type="checkbox"/>	Total Outfalls: 2		
Other Industrial: <input type="checkbox"/>	File Name:		
Flows (MGD): Actual:	Permit Category: Land Disturbance		
Design:	Fee Category:		
Ecological Drainage Unit:	Effluent Limit Guideline:		

## NPDES Components

Select the NPDES Component(s) required: (Check to add Components.)

CAFO ☐  
Land Disturbance ☒ Storm Water - Industrial ☐ Storm Water - MS4 ☐

## Land Disturbance Component

Storm Water Body Name: Un-named Tributary to  
Eleven Point River

Land Disturbance Termination Date:

\*Project Plan Size: 9.00 Acres

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**Application Basic Information**

Facility ID: 39198  
Facility: Coastal Energy Rail Spur  
County: Howell  
Region: SER  
Owner Name: Coastal Energy Corporation

Application ID: AP 9434  
Application Type: Application for New Permit

\*Indicates a Required Field

Permit Application Information	
*Date Received: 11/17/2011	
Permit Type: GPCF	
Permit ID: MORA00246	
Over the Counter (OTC) <input type="checkbox"/>	Related Permit ID: <input type="text"/>
*Issuing Authority: SERO	CAFO App: <input type="checkbox"/>
*Permit Writer: Hargraves Wesley	Comments: Re-Issuance of MOR109FP2
Continuing Authority	
*Continuing Authority: Coastal Energy Corporation	
*Address: P.O. Box 218	Address (line 2): <input type="text"/>
*City: Willow Springs	*State: MO
	*Zip Code: 65793
Contact	
*Application Contact: David Montgomery	Title: President
*Phone: (417) 469 - 2777	Fax: (471) 469 - 4994
	E-mail: <input type="text"/>
Comments: <input type="text"/>	
Application Fee	
Receipt Log Search	
Receipt ID: 351833	
Date Received: 11/17/2011	Amount: \$ 300.00
Document Number: 1887	Payment Type: Check
Revenue Type: WP 06 LAND DISTURBANCE MO-R10S	

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## Permit Basic Information

Pending

Permit ID: MORA00246

• Permit successfully issued.

Facility ID: 39198	Permit Type: GPCF	MGP Version Number: 1.00
Facility: Coastal Energy Rail Spur	Non-NPDES Type:	GPCF Version Number: 1.00
Owner Name: Coastal Energy Corporation	Construction Type:	
County: Howell	Initial Date: 03/08/2012	
Region: SER		

\* Indicates a Required Field

+ Indicates field is required at time of issuance.

Permit		Date Information	
Over The Counter: <input type="checkbox"/>	Permit Name: Land Disturb	+ Issue Date: 02/21/2012	
	MGP ID: MORA00000	+ Effective Date: 03/08/2012	
	MGP Effective Date: 02/08/2012	Expiration Date: 02/07/2017	
	MGP PDF	Termination Date:	
Basic Permit Comments:		Termination Comments:	
	Archive Ind/Box No: <input type="checkbox"/>		
Application ID: AP 9434	<a href="#">App Lookup</a>	<a href="#">Archive</a>	<a href="#">History</a>
		<a href="#">Terminate</a>	
Continuing Authority			
* Company/Person:	* Address:	Address (line2):	* City
Coastal Energy Corporation	P.O. Box 218		Willow Springs
			MO
			65793
			Authority Level:
Issuing Authority		Major/Minor Status	
* Name: SERO			
* Permit Writer: Hargraves Wesley			
Codes		Compliance Tracking Status	
* Primary SIC: 1629		* Status: On Off	
Additional SIC Codes:		Start Date:	
Primary NAICS:			
Additional NAICS Codes:			
Comments:			
Other Information			
Primary Waste Type: Storm Water	Population Equivalent Design:		
General Treatment Type: Storm Water			
Categorical Industrial: <input type="checkbox"/>	Total Outfalls: 1		
Other Industrial: <input type="checkbox"/>	File Name:		
Flows (MGD): Actual:	Permit Category: Land Disturbance		
Design:	Fee Category:		
Ecological Drainage Unit:	Effluent Limit Guideline:		

## NPDES Components

Select the NPDES Component(s) required: (Check to add Components.)

CAFO	<input type="checkbox"/>		
Land Disturbance	<input checked="" type="checkbox"/>	Storm Water - Industrial	<input type="checkbox"/>
		Storm Water - MS4	<input type="checkbox"/>

## Land Disturbance Component

Storm Water Body Name: Unnamed Tributary of Eleven Point River

Land Disturbance Termination Date:

\*Project Plan Size: 9.00 Acres

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# MoDNR Topo

